

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MARYLAND
3

4 TALATHA SHERRILL, :

5 Plaintiff :

6 vs. :

7 DEPUTY JOSEPH CUNNINGHAM, : CIVIL ACTION NUMBER:

8 et al. : 1:18-CV-00476-JKB

9 Defendants :

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12 Deposition of TALATHA SHERRILL, taken on
13 Monday, March 18, 2019, at 9:30 a.m., at Downs
14 Collins, 20 South Charles Street, Baltimore,
15 Maryland, before Linda A. Crockett, Notary
16 Public.
17

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19

20 Reported by:

21 Linda A. Crockett

1 APPEARANCES:

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8 On behalf of the Plaintiff

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1 T H E P R O C E E D I N G S

2 - - - - -

3 S T I P U L A T I O N S

4 It is stipulated and agreed by and between
5 counsel for the respective parties that the
6 reading and signing of this deposition by the
7 witness is hereby not waived.

8 - - - - -

9 T A L A T H A S H E R R I L L ,

10 first duly sworn to tell the truth, the whole
11 truth, and nothing but the truth, testified as
12 follows:

13 E X A M I N A T I O N B Y M R . K A R P I N S K I :

14 Q. Would you please state your full name
15 for the record?

16 **A. Talatha Danielle Sherrill.**

17 Q. Ms. Sherrill, have you given a
18 deposition before?

19 **A. No.**

20 Q. Well, let me start off with some
21 preliminary stuff. My name is Kevin Karpinski.

1 I represent the defendants in the case that you
2 have pending in the United States District Court
3 for the District of Maryland. We're here to take
4 your deposition today, which you can see a court
5 reporter is here, and I'm going to ask you some
6 questions and my questions and your answers are
7 going to be taken down by the court reporter.

8 It is important that you give audible
9 responses to all of my questions, although we can
10 communicate with hand gestures and nodding of the
11 head and things of that sort.

12 The court reporter is taking down
13 everything that is said. And we want to make her
14 job as easy as possible, and that's to go ahead
15 make sure we give a verbal response.

16 If I ask you a question that you don't
17 understand, it's probably because the question
18 doesn't make any sense, so you should just tell
19 me you don't understand the question, and I'll
20 try and make it clear.

21 It's important that we do not speak over

1 each other, so if you would be so kind as to let
2 me finish my question before you begin to answer,
3 I certainly will extend the same courtesy to you.

4 This is not an endurance test. If you
5 need a break at any time during the deposition,
6 just let know me, and we can take a break.

7 Do you understand?

8 **A. Yes, I do.**

9 Q. Are you taking any medications today
10 that would affect your ability to understand my
11 questions and to provide full and complete and
12 accurate answers to them?

13 **A. No, nothing.**

14 Q. Do you have any nicknames or aliases
15 that you go by?

16 **A. T.**

17 Q. Is that a family nickname? How did you
18 get the nickname?

19 **A. It's a nickname. It's an abbreviation**
20 **of my name.**

21 Q. What is your current age?

1 **A. This is the terrible. 43.**

2 Q. Always the toughest question. What is
3 your current address?

4 **A. 65 Griffith Lane, G-R-I-F-F-I-T-H,**
5 **Manchester, Pennsylvania 17345.**

6 Q. How long are you lived at that address?

7 **A. About maybe eight months, nine months.**

8 Q. And who lives with you at that address?

9 **A. My husband and my daughter.**

10 Q. And what's your husband's name?

11 **A. Michael.**

12 Q. And your daughter's name?

13 **A. Teacora, T-E-A-C-O-R-A.**

14 Q. And where did you live prior to
15 Manchester?

16 **A. 2714 Green Road in Baldwin, Maryland**
17 **21013.**

18 Q. How long did you live at that address?

19 **A. About five years.**

20 Q. Who lived with you at that address?

21 **A. My husband and my daughter.**

1 Q. You've been married one time?

2 A. Yes.

3 Q. And you have one daughter; is that
4 correct?

5 A. Yes.

6 Q. Walk me through, please, your
7 educational background.

8 A. I graduated from Dunbar High School.

9 Q. Dunbar High School in Baltimore?

10 A. Yes.

11 Q. Were you born --

12 A. Born and raised in Baltimore.

13 Q. What year did you graduate from Dunbar?

14 A. '93. And I went to -- attended Drexel
15 University in Philadelphia. From there I went to
16 University of Maryland in Baltimore County. I
17 did not obtain degrees.

18 Q. What year did you graduate from Drexel?

19 A. I did not. I did not obtain a degree.

20 Q. From Drexel?

21 A. No, I did not.

1 Q. What years did you attend Drexel?

2 A. `93 to `95. Then from there I attended
3 University of Maryland Baltimore County. But I
4 did not finish. I didn't complete the degree.

5 Q. How close were you to completing your
6 degree?

7 A. Maybe a year off.

8 Q. What was your desired degree?

9 A. At the time, I was pre med.

10 Q. Any educational experience beyond your
11 time at Drexel and University of Maryland
12 Baltimore?

13 A. I pursued psychology after University of
14 Maryland. That would be at Strayer University,
15 but I didn't finish.

16 Q. When you say you pursued psychology,
17 what do you mean by that?

18 A. I changed my major.

19 Q. Okay. And you took classes with a goal
20 towards getting a degree in psychology?

21 A. Yes, yes.

1 Q. But if I'm correct, what you're telling
2 me is you did not obtain that degree?

3 A. I did not obtain that.

4 Q. Any other post high school education
5 that you had?

6 A. I have a -- I'm a licensed aesthetician
7 in the State of Maryland.

8 Q. And what exactly does one do in that
9 vocation?

10 A. Facials.

11 Q. Do you hold any certificates or
12 licenses?

13 A. I do for -- with the State of Maryland
14 as an aesthetician, and I have certification in
15 early childhood education.

16 Q. What was the process to become certified
17 in early childhood education?

18 A. Very short. I was an in-home day care
19 provider.

20 Q. Any other post high school education or
21 certifications that we haven't talked about?

1 **A. I don't think so.**

2 Q. Are you currently employed?

3 **A. I currently do have my own business as a**
4 **psychiatric rehabilitation counselor. I have a**
5 **PRP that I run, and I have certifications.**

6 **Forgot about that. Certifications through the**
7 **State of Maryland as a psychiatric rehabilitation**
8 **counselor running a program. So it's called PRP.**

9 Q. That's the name of your program?

10 **A. It's called Parents on Patrol. It's a**
11 **psychiatric rehabilitation program.**

12 Q. I'm familiar with sort of your
13 employment history. So I would assume that you
14 have some sort of a certification from the State
15 of Maryland or from some other state?

16 **A. Yes, I have licensing.**

17 Q. In what field?

18 **A. From the Office of Health Care Quality**
19 **Assurance.**

20 Q. And when did you obtain your license?

21 **A. Through the State of Maryland, you have**

1 **to apply for the licensing, go through -- if**
2 **you're asking if there's a specific license**
3 **geared toward an individual, no, there is not.**

4 Q. Actually I asked when you obtained your
5 license.

6 A. Oh, when? I thought you said where.
7 I'm sorry. It was July 2017.

8 Q. And what was the process by which you
9 obtained your license?

10 A. The process, there are inspections, your
11 history, clinical background, and my relationship
12 with the clinician, which is basically what the
13 license is based on, it's basically based on
14 having a licensed clinician. I just run it.

15 Q. So you have a licensed clinician and you
16 run the program?

17 A. I'm just the owner.

18 Q. You're just the owner?

19 A. Yes.

20 Q. Parents on Patrol, where is that
21 located?

1 **A. In Aberdeen, Maryland, 8 Howard Street,**
2 **Aberdeen, Maryland.**

3 Q. And you've been doing that since 2017?

4 **A. Yes.**

5 Q. When you say you're just the owner, what
6 do you do on a day-to-day basis?

7 **A. Sometimes I see clients.**

8 Q. Do you work every day?

9 **A. No.**

10 Q. How many days a week do you work?

11 **A. Maybe one.**

12 Q. Do you have any other jobs that you have
13 other than this?

14 **A. No.**

15 Q. Any particular reason that you don't
16 have any other jobs, or is that just a choice
17 that you're just the owner of this business?

18 **A. Should I have another job?**

19 Q. Well, no, not necessarily.

20 **A. Okay.**

21 Q. So it's of your own choice, there are no

1 limitations that you have, you've just chosen not
2 to have another job, you're happy being the
3 owner?

4 **A. Can you be a little bit more explicit in**
5 **your questioning?**

6 Q. Sure. You are working, you said,
7 basically one day a week. My question is: Do
8 you have some limitation that would prevent you
9 from working more than one day a week?

10 **A. Absolutely, absolutely.**

11 Q. What is that?

12 **A. Psychologically, I am not able to handle**
13 **the issues that come with being a mental health**
14 **counselor at this time.**

15 Q. And explain to me as fully and
16 completely as you can why you don't feel that
17 you're capable of handling the duties of a mental
18 health counselor at this time?

19 MR. DOWNS: Objection to the breath of
20 the question being overbroad. You can answer it,
21 if you can.

1 **A. A lot of the mental health issues that**
2 **my clients deal with are triggering for me, and**
3 **most of my clientele are located in Cecil County,**
4 **Maryland, and Harford County, Maryland, and it**
5 **does not suit me well to take the road back and**
6 **forth, being the events that happened some years**
7 **ago, three years ago, in Cecil County.**

8 Q. Can you explain to me when you say
9 the -- when you say there are things that your
10 clients have that are triggering to you, what do
11 you mean by that?

12 **A. Some of them deal with PTSD, and that's**
13 **one of the issues that I deal with. And quite**
14 **frankly traveling back and forth on the road with**
15 **the constant worry that an officer is following**
16 **me or I'll get stopped, I prefer to stay home.**

17 Q. Where did you work prior to your current
18 ownership interest in Parents on Patrol?

19 **A. With My Family Services which was also a**
20 **PRP program.**

21 Q. What does that stand for?

1 **A. Psychiatric Rehabilitation Program.**

2 **Q. And what sort of services would you**
3 **provide for this psychiatric rehabilitation**
4 **program?**

5 **A. Psychiatric rehabilitation counselor,**
6 **the same type of thing that I do in my own**
7 **business.**

8 Q. I guess one of the questions that I
9 apologize for not being more educated on is I
10 assume there must be some sort of a certification
11 process to become a counselor. Am I incorrect in
12 that assumption?

13 **A. There are training hours, but it's --**
14 **we're not therapists. So we work with**
15 **therapists, and we assist clients in their daily**
16 **living skills to be more functional within their**
17 **mental health needs.**

18 Q. So can you explain to me, for example,
19 when you worked for Win Team what your duties and
20 responsibilities would be?

21 **A. I would personally see clients in their**

1 **home to make sure that they were being compliant**
2 **to state regulations based on their therapeutic**
3 **directives from their psychiatrist or therapist.**

4 Q. How would you go about determining
5 whether they're compliant?

6 **A. There's a close relationship with the**
7 **patient or client's therapist or psychiatrist.**

8 Q. You had that job for approximately two
9 years?

10 **A. Yes.**

11 Q. Why did you stop working for Win Team?

12 **A. January 14, 2016, I was in the incident**
13 **with the officers in Cecil County, and I was not**
14 **able to work after that point, a broken elbow.**

15 Q. So did you leave employment with Win
16 Team, or were you separated from employment?

17 **A. I left employment.**

18 Q. Did you leave employment as of January
19 14, 2016?

20 **A. No. I did not. I believe it was in**
21 **June I was not able to return.**

1 Q. Did you do any work from January to
2 June?

3 A. I did not. I was incapacitated with a
4 broken elbow. I had hard cast. There was talk
5 of surgery, and I had months of physical therapy.
6 I'm right-handed, and I could not do the
7 reporting as far as writing progress notes.

8 Q. Your elbow, was it ever in a cast?

9 A. Yes.

10 Q. A hard cast?

11 A. Yes.

12 Q. When was your elbow in a hard cast?

13 A. In January of 2016.

14 Q. For what period of time?

15 A. It was a few weeks, quite a few weeks.
16 I'm not exactly sure of the time, though.

17 Q. And then thereafter, you had physical
18 therapy?

19 A. Yes, a soft cast and physical therapy,
20 and I guess on and off. I don't really recall
21 how many months, though.

1 Q. Are you still going through the physical
2 therapy?

3 A. I know you're sitting here thinking why
4 is she thinking about that.

5 Q. I'm not thinking about anything. I'm
6 just thinking about my next question.

7 A. Okay. Good, good, good. I am in
8 physical therapy right now.

9 Q. Physical therapy for your elbow?

10 A. That is a part of it, yes.

11 Q. What other physical therapy are you
12 receiving?

13 A. I was recently in a car accident. So
14 I'm in physical therapy for that, but my elbow
15 was affected as well.

16 Q. When were you involved in a car
17 accident?

18 A. December 24th.

19 Q. What injuries did you sustain in that
20 car accident?

21 A. There was back pain, lower back pain,

1 **and trauma to the right arm and the left arm, but**
2 **mostly the right arm. It kind of exacerbated the**
3 **issue of the nerve pain that was already there.**

4 Q. Where did the accident occur?

5 **A. In Harford County.**

6 Q. Whereabouts in Harford County?

7 **A. On West Bel Air Avenue.**

8 Q. So currently you're going through
9 physical therapy for not only your elbow but your
10 back pain, I take it?

11 **A. Yes.**

12 Q. So prior to December 24, 2018, can you
13 give me an idea of the time between January 14,
14 2016, and December 24, 2018, during that time
15 period, how frequently were you going to physical
16 therapy?

17 **A. Intermittently, maybe a few months at a**
18 **time. But I can't really -- I've been kind of**
19 **trying to home in on the fact of the nerve pain**
20 **issue. So I am in treatment right now.**

21 Q. And when you did your physical therapy

1 following the January 14, 2016, incident, where
2 did you do that physical therapy?

3 **A. With -- it used to be Orthopedic**
4 **Associates, but I believe it's Ortho Maryland**
5 **now.**

6 Q. Where would you do your physical
7 therapy?

8 **A. Ortho Maryland, I believe, on Bellona**
9 **Avenue.**

10 Q. Where is that located?

11 **A. In Baltimore. It's Lutherville.**

12 Q. Okay. How would you get to physical
13 therapy?

14 **A. Sometimes my husband would take me.**
15 **Sometimes I would take myself. Sometimes a**
16 **neighbor would take me. Well, let me back that**
17 **up a little bit. Initially, my appointments I**
18 **had to be driven by someone, but as time went on**
19 **I was able to take myself.**

20 Q. Can you give me an idea of what period
21 of time it was that you had to be driven, then

1 when you were able to drive yourself?

2 **A. For at least, I guess, the first four or**
3 **five months.**

4 Q. And then you were able to then go ahead
5 and drive yourself?

6 **A. Yes, with some assistance to maneuver**
7 **the gear shifts. A lot times my daughter would**
8 **go with me, and she would move the gear for me,**
9 **not being able to move my right arm.**

10 Q. I gather you have a manual transmission
11 in your car?

12 **A. I do not. I have an automatic. So**
13 **being able to maneuver the gearshift.**

14 Q. From park to drive?

15 **A. Yes.**

16 Q. Prior to Win Team, you worked at Open
17 Door; is that correct?

18 **A. Yes.**

19 Q. And what were your duties and
20 responsibilities?

21 **A. I was the director for an after-school**

1 **program.**

2 Q. You said an after-school program for
3 kids at a school?

4 **A. Yes.**

5 Q. That would have been at Lutherville
6 Elementary School?

7 **A. Yes.**

8 Q. For what period of time did you hold
9 that position?

10 **A. That may have been about two years or**
11 **close to that.**

12 Q. And why did you leave that position?

13 **A. I believe they replaced and put a new**
14 **director in, and I was moved to another school.**
15 **I got the job with Win Team.**

16 Q. What other school were you moved to?

17 **A. Joppatowne, I think. To be honest with**
18 **you, I don't remember the name of the school. I**
19 **was not there very long.**

20 Q. Why were you moved from Lutherville
21 Elementary School to Joppatowne?

1 **A. Why was I moved? They were just making**
2 **changes in the company.**

3 Q. And is that the name of the company,
4 Open Door?

5 **A. Open Door, yes.**

6 Q. And prior to that, you worked at Play
7 Keepers?

8 **A. Yes.**

9 Q. What were your duties and
10 responsibilities?

11 **A. The same duties.**

12 Q. For what period of time were you working
13 for Play Keepers?

14 **A. I was at Play Keepers for a few years,**
15 **two or three years.**

16 Q. Why did you leave Play Keepers?

17 **A. Opportunity at Open Door.**

18 Q. I assume you voluntarily left Play
19 Keepers?

20 **A. Yes.**

21 Q. And you voluntarily left your position

1 at Open Door?

2 **A. Yes.**

3 Q. When you worked for Win Team, how many
4 clients would you have?

5 **A. I had about I think at the time about 27**
6 **clients.**

7 Q. And how frequently would you see them?

8 **A. Adults were seen at a minimum of six**
9 **times per month. Youth were seen a minimum of**
10 **three times a month.**

11 Q. When you would see them, how much time
12 would you spend with them?

13 **A. Minimum one hour.**

14 Q. And where were your -- did you have a
15 region where you covered?

16 **A. Cecil County, Harford County, Baltimore**
17 **County, Baltimore City.**

18 Q. And who was your supervisor?

19 **A. I was contractual, so I really didn't**
20 **have a supervisor. But the director of the**
21 **program at the time, her name was Placida**

1 **Braswell, P-L-A-C-I-D-A, last name**

2 **B-R-A-S-W-E-L-L.**

3 Q. She was the one you reported to?

4 **A. Yes.**

5 Q. How would you get new clients, would it
6 be through Ms. Braswell?

7 **A. Yes, yes.**

8 Q. I'm just trying to understand exactly
9 how you would get paired up with new clients?

10 **A. Yes. That's kind of the process. A lot**
11 **of clients were referred to me directly through**
12 **other clients.**

13 Q. Okay. So you would get some clients
14 through Ms. Braswell and then word-of-mouth they
15 would say Ms. Sherrill is a good one to work
16 with, you should request her and see whether
17 she's available; is that fair to say?

18 **A. That's fair.**

19 Q. Putting aside the January 14, 2016
20 incident, have you ever been arrested or detained
21 for any reason?

1 **A. Never.**

2 Q. I take it prior to this incident you did
3 not know Deputy Cunningham; is that correct?

4 **A. No.**

5 Q. That was a poor question. Let me start
6 all over.

7 Did you know deputy Cunningham prior to
8 the incident we're here to talk about?

9 **A. No, still the same answer, no.**

10 Q. And Corporal Pristash, did you know him?

11 **A. No.**

12 Q. So the January 14 incident, do you
13 recall what day of the week it was?

14 **A. It was a Thursday.**

15 Q. Do you recall what time of the day that
16 you first had interaction with Deputy Cunningham?

17 **A. Somewhere around quarter after 8 p.m.**

18 Q. Let's start with what you did earlier in
19 the day. What time did you begin your work for
20 the day?

21 **A. I probably began my work day somewhere**

1 **around 9 a.m., maybe earlier, and I went to Cecil**
2 **County. So I saw about 15 clients that day.**

3 **Q. 15?**

4 **A. Uh-huh.**

5 **Q. Do you remember the names of those 15**
6 **clients?**

7 **A. Maybe some.**

8 **Q. What names do you recall?**

9 **A. Is that something that I should answer,**
10 **putting their names into this?**

11 **MR. DOWNS: You can answer. You can**
12 **answer.**

13 **A. I'm just thinking about the clients. I**
14 **saw Jacelyn Young, J-A-C-E-L-Y-N, Young, Latasha,**
15 **I don't remember her last name. Maybe her last**
16 **name was Johnson. I saw her mom. What was her**
17 **name? I can't remember. There are quite a few.**
18 **Lillian Williams, Taylor Hayes, Tessie Goodwin,**
19 **Jaffe Nye, J-A-F-F-E, N-Y-E. There are some**
20 **others. There were some others. But those**
21 **were -- those are the ones I remember.**

1 **Q.** Do you recall the last client you saw
2 prior to the incident that brings us here today?

3 **A.** Yes. That would be Latasha.

4 **Q.** You believe her last name is Johnson?

5 **A.** Yes.

6 **Q.** Do you recall where Latasha Johnson
7 lived?

8 **A.** She lived on Old Schoolhouse Drive.

9 **Q.** And that's --

10 **A.** In Port Deposit.

11 **Q.** And what time do you think you saw
12 Latasha?

13 **A.** I saw Latasha about I guess somewhere
14 around 7 p.m.

15 **Q.** 7 p.m.?

16 **A.** Yes.

17 **Q.** And I believe in your complaint or
18 perhaps in your Answers to Interrogatories, you
19 reference one of your clients gave you fruit or
20 something earlier in the day?

21 **A.** Yes.

1 Q. Who was that?

2 A. That was Jacelyn Young.

3 Q. Jacelyn Young. What did Ms. Young give
4 you?

5 A. She gave me a lot of produce, cabbage
6 and oranges, and she baked cookies, Christmas
7 cookies and those types of thing, of which the
8 cookies went missing. Yes, I just have a lot --
9 she blessed me with a lot of things.

10 Q. Cabbage and oranges. Did she have a
11 garden or something?

12 A. She did, but it was wintertime. So it
13 was probably some things that she picked up when
14 she went to do some volunteer work or something.

15 Q. Was that typical of her to give you
16 stuff when saw her?

17 A. Yes, it was.

18 Q. Did your other clients give you things
19 when you visited?

20 A. Sometimes they would, hey, Ms. T, candy,
21 cookies, whatever, sometimes.

1 Q. Do you recall the client that you saw
2 before Ms. Johnson?

3 A. Ashley Hodges.

4 Q. Where did Ms. Hodges live?

5 A. On Old Schoolhouse Drive as well. They
6 lived a few doors from each other.

7 Q. When would you have seen her?

8 A. I probably saw her somewhere around
9 6 o'clock, maybe quarter of 6 or something.

10 Q. So walk me through, after you leave
11 Ms. Johnson's house, where are you going?

12 A. I'm going home.

13 Q. And what would be the path to get from
14 Ms. Johnson's house to your home?

15 A. Schoolhouse Drive to 222, which is the
16 road that I was on to go home, the road that the
17 officer stopped me on.

18 Q. Was 222?

19 A. Yes.

20 Q. Is that commonly referred to as
21 Susquehanna River Road?

1 **A. I'm not sure. I guess so. I always**
2 **call it Route 222.**

3 Q. That's what we'll call it then,
4 Route 222. Do you recall where you were on Route
5 222?

6 **A. At what point?**

7 Q. When the officer stopped you?

8 **A. Yes. I was heading towards Conowingo,**
9 **the Conowingo Dam, so heading in that direction.**

10 Q. When is the first time that you saw a
11 police officer in the area while you are on
12 Route 222?

13 **A. When I was -- when I made my right turn**
14 **out of the street.**

15 Q. When you say the street, what street?

16 **A. Old Schoolhouse. I'm pretty sure it's**
17 **not Old Schoolhouse down there. It's another**
18 **road. But I'm not sure exactly what the name of**
19 **that road is. But it leads to Old Schoolhouse**
20 **Drive, and I made the right turn to come out of**
21 **the street onto 222. There were two cars in**

1 **front of me. And as I passed, there's a parking**
2 **lot, a lot, and I saw the officer there.**

3 Q. Was the parking lot on your right-hand
4 side?

5 **A. On the right-hand side.**

6 Q. So you see the officer in the parking
7 lot, and you have two vehicles in front of you;
8 is that correct?

9 **A. Right. And there were two vehicles**
10 **behind me. There's a stop sign there. Then I**
11 **came out, and there were two other ones behind**
12 **me.**

13 Q. In that area, describe for me what the
14 setup of the road is. Is it a two-lane road or
15 more than two lanes?

16 **A. It's a two-lane road going -- I don't**
17 **know if that would be east or west, two-lane**
18 **road.**

19 Q. Is it one lane going on --

20 **A. One lane going and one lane coming.**

21 Q. What's the speed limit in that area?

1 **A. I believe the speed limit is --**

2 MR. DOWNS: Objection. Now or then?

3 **Q. What was the speed limit then?**

4 **A. Then, I don't even remember. I want to**
5 **say it was 55, but I don't really recall.**

6 Q. Do you know what the speed limit is now?

7 **A. I don't.**

8 Q. When is the last time you were in that
9 area?

10 **A. I haven't been in that area since that**
11 **time.**

12 Q. It's your testimony that you haven't
13 been back in that area on Route 222 since
14 January 14 of 2016; is that your testimony?

15 **A. I want to make sure I'm right. Going to**
16 **court I think my husband did take that route.**
17 **But I can't tell you exactly which court date**
18 **that was.**

19 Q. So you're driving on 222. You see the
20 officers in the parking lot. It sounds to me
21 like you have two cars in front of you; you have

1 two cars behind you?

2 **A. Uh-huh.**

3 Q. Describe for me what occurs next. Does
4 the officer pull out?

5 **A. Yes. So as we're -- I'm driving on the**
6 **road and I check -- I always check all my**
7 **mirrors, I do see the officer pull out of the**
8 **parking lot behind the two vehicles that were**
9 **behind me.**

10 Q. Let me stop you right there. Are you on
11 the phone at this point, or are you not on the
12 phone at this point?

13 **A. At that point, I was on the phone. I**
14 **had my earplugs in, and I was on the phone with**
15 **my pastor.**

16 **Q. When you say your earplugs, I just want**
17 **to make sure we're talking about the same thing,**
18 **are you talking about earplugs or a Bluetooth**
19 **device for your cell phone?**

20 **A. It was a one earpiece in my ear.**

21 Q. Connecting to the phone, or was it

1 wireless?

2 **A. Did it connect to the phone? It was**
3 **connected to the phone.**

4 **Q. Okay. So you're driving, you're talking**
5 **to your pastor, you observe the officer pull out.**
6 **Walk me through what goes on next.**

7 **A. I'm driving. The other two cars are in**
8 **front of me. I observe as I'm driving. It's**
9 **dark, the conditions are dark. It's dry, but**
10 **it's dark. It's after 8:00, and there is a**
11 **wooded area. I observe that the one car directly**
12 **behind me pulls into one of the off streets, and**
13 **then the other vehicle pulls into -- there's a**
14 **tavern on the right-hand side and all of the**
15 **these openings are on the right-hand side of the**
16 **road. There's nothing but woods on the left-hand**
17 **side. And the officer is directly behind me at**
18 **that point. I'm just driving.**

19 **Q. How, either in time or in distance, how**
20 **much distance is it between the time that the**
21 **officer pulls out and the time that he activates**

1 his overhead lights?

2 **A. How much time?**

3 Q. Or distance.

4 **A. I want to say about three miles. It's a**
5 **pretty long road.**

6 Q. How about the cars in front of you?

7 Were there still cars in front of you?

8 **A. Yes. So they proceeded on to I guess to**
9 **the end of 222, because after the -- that one**
10 **little cutout or whatever street, there's nothing**
11 **else there. So they must have proceeded onto**
12 **Conowingo, Route 1.**

13 Q. Route 1. So the officer is behind you
14 for approximately three miles; is that correct?

15 **A. Yes.**

16 Q. He activates his lights?

17 **A. Yes.**

18 Q. Does he activate his siren?

19 **A. I don't recall the siren.**

20 Q. Do you hear him saying anything over a
21 speaker or anything?

1 **A. No.**

2 Q. What kind of vehicle are you driving at
3 that point?

4 **A. A 2014 Chevy Cruze.**

5 Q. Do you still have that car?

6 **A. I do not.**

7 Q. Was that the car that was involved in
8 the accident recently?

9 **A. Yes.**

10 Q. So the officer pulls you over. I take
11 it you pull over to the shoulder?

12 **A. I wouldn't actually call it a shoulder.**
13 **There's a little wooded kind of cutout, so yes.**

14 Q. Were you off the path of travel?

15 **A. You mean out of -- what do you mean off**
16 **of the path of travel?**

17 Q. Off the road.

18 **A. Not particularly. It's not a whole lot**
19 **of space. Now, was I out of the way of traffic**
20 **that may have come, they could go around.**

21 Q. They could go around you?

1 **A. Uh-huh, yes.**

2 Q. So you pull over, the officer pulls in I
3 take it behind you, correct?

4 **A. Yes.**

5 Q. Are you still on the phone?

6 **A. Yes.**

7 Q. And you're speaking to your pastor at
8 that time?

9 **A. Yes.**

10 Q. And your pastor's name is what?

11 **A. Felecia Bell, F-E-L-E-C-I-A, B-E-L-L.**

12 Q. Do you still speak to Ms. Bell?

13 **A. Yes.**

14 Q. Do you have Ms. Bell's telephone number?

15 **A. I do.**

16 Q. What is her cell number?

17 **A. 443-813-8443.**

18 Q. How long do you think you had been
19 speaking to Ms. Bell before the officer pulling
20 you over?

21 **A. For I guess when I left my client maybe**

1 **about 10/15 minutes.**

2 Q. Do you recall what you all were
3 discussing?

4 A. She talked to me most times on my way
5 home from work. It was usually late. So she
6 would talk me home. And so we would discuss
7 things about church, how was your day, you know,
8 those types of things.

9 Q. How long had she been your pastor?

10 A. At that point for I guess about seven
11 years.

12 Q. Do you belong to a particular church or
13 denomination?

14 A. I belong to her church. I was actually
15 her assistant, which is why we had conversations
16 on a daily basis.

17 Q. What was the name of the church?

18 A. Lively Stones Ministries.

19 Q. Do you still attend that church?

20 A. Yes, we are still members.

21 Q. Are you still -- is Pastor Bell still

1 there?

2 **A. Yes.**

3 Q. Are you still Pastor Bell's assistant?

4 **A. No, not since.**

5 Q. When did you cease being her assistant?

6 **A. I'm not sure, just kind of faded as my**
7 **ability to do certain things was not -- I wasn't**
8 **able to carry out certain tasks. So I don't do**
9 **as much as I would normally would have done, no.**

10 **Q. You tell me if I'm correct, would it be**
11 **sort of your routine that at the end of the day**
12 **you would have a conversation with Pastor Bell**
13 **talking about things that went on during your day**
14 **but also things related to the church?**

15 **A. Yes.**

16 Q. So this was not atypical for you to do,
17 this would be something you would do on a regular
18 basis; is that fair to say?

19 **A. Yes.**

20 Q. So the officer pulls in behind you. I
21 take it the officer gets out of his police

1 vehicle, correct?

2 **A. No. He pulls behind me. And my -- what**
3 **I said to my pastor was, oh, shoot, I'm being**
4 **pulled over. She says for what. I said I don't**
5 **know. So I'm sitting there, and I said to her, I**
6 **said well, let me get my credentials. And I got**
7 **my credentials. I said I'll call you back. And**
8 **I thought that I had cleared her off the phone.**
9 **But I sat there for quite a while before he even**
10 **approached my vehicle.**

11 **Q. Can you give me an idea of how much time**
12 **you sat there before he approached your vehicle?**

13 **A. At a minimum five minutes.**

14 Q. Okay. It could have been longer than
15 five minutes?

16 **A. It could have been. It was at least**
17 **five minutes.**

18 Q. What are you doing during this
19 five-minute period?

20 **A. Waiting for him to come to my car. I**
21 **pulled my credentials, my registration, ID and**

1 **all that. I was just waiting for him to come to**
2 **my car.**

3 Q. And at some point, did the officer get
4 out of his vehicle?

5 **A. He did.**

6 Q. Was this a marked or unmarked vehicle?

7 **A. It was a marked vehicle.**

8 Q. And the officer approached your vehicle?

9 **A. Yes.**

10 Q. Are you able to describe the deputy that
11 approached your vehicle?

12 **A. Am I able to describe him?**

13 Q. Yes.

14 **A. He was a white male. He had on a**
15 **uniform. He did not have on a badge or a name**
16 **tag, but at that the point I could see that he**
17 **was a uniformed officer.**

18 Q. You didn't have any doubts that he was a
19 police officer, did you?

20 **A. Did I have any doubts?**

21 Q. Right.

1 **A. I don't know. What do you mean did I**
2 **have any doubts, the fact that he was in a marked**
3 **car and he had on a uniform. I mean, I don't**
4 **guess I would have had a doubt.**

5 Q. And so he's a white male in a uniform.
6 Are you able to describe him any more than that?

7 **A. Not really at this point in time, no.**
8 **It was pretty dark.**

9 Q. Have you subsequently learned his name?

10 **A. Yes.**

11 Q. And what's his name?

12 **A. Joseph Cunningham.**

13 Q. Deputy Cunningham approaches your
14 vehicle, and describe for me as fully and
15 completely as you what occurs after that?

16 MR. DOWNS: Objection to the overly
17 broad question. You can answer it if you can.

18 **A. Do you want to rephrase the question**
19 **that is overly broad?**

20 Q. That's Mr. Downs' opinion of it. My
21 opinion is I'm asking you what occurred after he

1 approached your vehicle. I don't think it's
2 overly broad. Tell me as fully and completely as
3 you can what you recall occurring after he gets
4 out of his vehicle and he approaches your
5 vehicle. Tell me as fully and completely as you
6 can what occurred at that point.

7 MR. DOWNS: Same objection. You can
8 answer it if you can.

9 **A. He approached my vehicle. I rolled my**
10 **window down.**

11 Q. How far did you roll your window down?

12 **A. At least three-quarters.**

13 Q. All of the way down three-quarters?

14 **A. Uh-huh.**

15 Q. That's a yes?

16 **A. Yes. Three-quarters down. And the**
17 **officer approached my car. I had my credentials,**
18 **and I'm going to use my hand gestures as to what**
19 **he did. I put my -- he approached my vehicle.**
20 **The window was down.**

21 Q. Your credentials are in your right or

1 left hand?

2 A. Left hand.

3 Q. Just so it's clear.

4 A. I had my license, registration and all
5 that ready. He pushed my hand back in and said
6 roll your fucking window down. I said my window
7 is down. He said roll your fucking window down.
8 I said my window is down. I have my credentials
9 here, sir. And at that point it just kind of
10 escalated because his first initial response to
11 me was shocking.

12 So at this point, I'm thinking I need to
13 get some assistance, some help. And so I tried
14 to dial 911 on my phone. I dialed everything but
15 911. And he just kept saying to me, if you don't
16 roll your F'ing window down, I'm going to bust
17 your window. I said, sir, my window is down. I
18 have my credentials here. He says get out of the
19 car. Get out of car. I'm like, can you call for
20 backup. I asked him if he could call for backup.
21 He says negative. I said can we go to a lit

1 area. He says you're not going anywhere. Get
2 out of this car, get out of the car, I'm going to
3 drag your ass out of the car. I'm like, okay.
4 Please, if you want to give me a ticket, whatever
5 the situation is, just a lot of high emotions,
6 whatever the situation is. It was out of
7 character for any officer I had ever encountered,
8 law enforcement. I could not understand, one,
9 what I was being pulled over for, and two, what
10 his reaction initially would be for me that way.

11 Q. Let's back up a little bit. You said
12 initially he pushed -- when you had your license
13 and your drivers license and registration out,
14 you had it in your left hand, and he pushed your
15 you hand back into the vehicle?

16 A. Yes.

17 Q. Do you know whether he used his right or
18 left hand to push your hand back in?

19 A. I don't recall.

20 Q. When you said his behavior was out of
21 character with other officers you had dealt with

1 before --

2 **A. With any law enforcement.**

3 Q. So what interaction had you had with law
4 enforcement prior to your interaction with Deputy
5 Cunningham?

6 **A. I was very good friends with Officer**
7 **Friendly. They come to your school. They're**
8 **there to help and serve your community.**

9 Q. So you were friends with the community
10 resource officer that would be at your school,
11 correct?

12 **A. Yes. I had dealings with officers, even**
13 **dealing with my clients, so yes.**

14 Q. So after you asked whether there can
15 be -- whether he could call for backup, and he
16 says negative, what occurs next?

17 **A. I asked if we could go to a lit area.**
18 **He said you're not going anywhere. And that's**
19 **when he just kind of -- it was just a lot of**
20 **expletives, and --**

21 Q. What exactly did he say?

1 **A. I'm going to drag you out of the car,**
2 **get your ass out of the car. Just a lot of**
3 **ranting, you know. And I'm begging and pleading**
4 **with him, sir, please just take my credentials.**
5 **Are you giving me a ticket? Give me a ticket.**
6 **You know, I'm just trying to go home. You know,**
7 **just he said if you don't -- if you don't get out**
8 **of the car I'm going to break your F'ing window.**

9 Q. Okay. I take it you didn't get out of
10 the car?

11 **A. No, I did not.**

12 Q. Why didn't you get out of the car?

13 **A. Because I am one person on a very dark**
14 **road with no one else around. That wasn't safe**
15 **to me, for me at all. And under those**
16 **conditions, no.**

17 Q. So what occurs after he tells that you
18 he's going to break your fucking window?

19 **A. He had gloves, I don't know if he had**
20 **them in -- he began to put gloves on his hands,**
21 **and he took one step back like he was reaching**

1 for something, I don't know what. He took one
2 step back from my car. I thought I could stay
3 here -- and I'm letting you know my thought
4 process at this time -- I could stay here and he
5 put a bullet in my head and leave me in the woods
6 and foul play or I could take off and try to save
7 my life. So that's what I did. He took one step
8 back from my car and I took off. I got to the
9 stop sign at the end of the road, and my initial
10 thought was to make a left and go toward home.
11 And I began to think about all of the open wooded
12 areas going toward the left going across the
13 Conowingo Bridge or the Conowingo Dam. There's a
14 tavern a little further down on the road, a
15 High's that would not have been open, a dark
16 area. My next thought process was if I go to the
17 right there is a Royal Farms about a half a mile
18 or so up the road. I'll go that way. I went --

19 Q. It's at the stop sign?

20 A. Yes. This is my thought process, like
21 you said you were thinking of your next question,

1 while he was going through his process I was
2 trying to think of a move to, you know, what am I
3 going to do when I get to this stop sign if I'm
4 able to get out of this situation. So I went to
5 the right.

6 Q. Can you go through the intersection or
7 does that dead-end right?

8 A. There it's dead-end. You're either
9 going right or left. So I went to the right
10 toward the Royal Farms going further into Cecil
11 County. And as I'm driving, he's coming behind
12 me.

13 Q. How fast are you driving?

14 A. I very deliberately did not go over 32
15 miles per hour. Very deliberately.

16 Q. Why 32?

17 A. I have no idea. But I knew I didn't
18 want to be caught saying that I was speeding. I
19 knew that I had enough distance in between the
20 two of us at that time because he still had to
21 get to his vehicle, that I could probably get to

1 **safety. But I did not at any time want him to**
2 **say, oh, you were speeding. So my digital**
3 **speedometer said 32. And as I approached the**
4 **Royal Farms, another officer came out and cut me**
5 **off right in the middle of the road just before I**
6 **was able to get to the left turn to go into the**
7 **Royal Farms.**

8 Q. Let me stop you there. You're going 32
9 miles an hour. You get to the end of the road.
10 You could go left towards your house or right --

11 A. No, no, no. No, no. No, no. 32 miles
12 an hour after I leave the officer.

13 Q. Right.

14 A. Once I make the right turn.

15 Q. After you've made the right turn?

16 A. After I've made that right turn.

17 Q. From where the officer stops you, how
18 fast --

19 A. On 222?

20 Q. Yes.

21 A. Probably about whatever the speed limit

1 **was at that time. There were two other cars in**
2 **front of me.**

3 Q. But you don't recall how fast you were
4 going?

5 **A. Not exactly right at the moment, no.**

6 Q. Did you stop at the stop sign?

7 **A. I did.**

8 Q. At Route 1?

9 **A. I did, because I had to think about**
10 **which way would be safest for me.**

11 Q. When the officer had you pulled over --
12 let me back up. You testified that you had the
13 window three-quarters of the way down, correct?

14 **A. Uh-huh.**

15 Q. Is that correct?

16 **A. Yes.**

17 Q. How does that work in the car that you
18 had back then, the Chevy Cruze, did you hit a
19 button or did you have to roll it down?

20 **A. No. It's an automatic window.**

21 Q. Did you ever attempt to roll the window

1 all of the way down?

2 **A. After his response of -- his first words**
3 **of being roll your fucking window down, no. My**
4 **response was my window is rolled down, sir. I'm**
5 **saying this to you, if I can give you my stuff.**

6 Q. So you make a right onto Route 1; is
7 that correct?

8 **A. Yes.**

9 Q. And you're going 32 miles an hour?

10 **A. Yes.**

11 Q. How far down Route 1 do you get?

12 **A. Just before the left turn into the**
13 **parking lot of the Royal Farms.**

14 Q. Is the Royal Farms on the left-hand
15 side?

16 **A. It's on the left-hand side.**

17 Q. You're going to have to educate me a
18 little bit here. Can you give me an
19 approximation of how far it is from the stop sign
20 where you take the right --

21 **A. I'm estimating about a half a mile.**

1 Q. And you're going 32 miles an hour,
2 correct?

3 A. Yes.

4 Q. Is there a vehicle in front of you?

5 A. No.

6 Q. A vehicle behind you?

7 A. The officer.

8 Q. Does the officer have his lights on?

9 A. He has his lights on, and he's coming
10 behind me pretty fast.

11 Q. Before you got to the Royal Farms,
12 another officer pulled out in front of you?

13 A. Uh-huh.

14 Q. Is that a yes?

15 A. Yes.

16 Q. How close to the Royal Farms were you?

17 A. I just -- I was right at the -- the
18 other officer came out of the Royal Farms parking
19 lot, diagonal straight across Route 1.

20 Q. Straight across?

21 A. Straight across Route 1.

1 Q. You were basically at the Royal Farms
2 almost?

3 A. Yes.

4 Q. Is there anything on the right-hand side
5 of the road?

6 A. I believe there's a -- like an auto shop
7 or something on the right-hand side of the road.
8 And did I know that then, no. I was focused on
9 the Royal Farms.

10 Q. So the other officer pulls out in front
11 of you on Route 1, correct?

12 A. Uh-huh.

13 Q. And is that officer --

14 A. Yes, I'm sorry.

15 Q. Is that officer in a marked cruiser or
16 unmarked cruiser?

17 A. He's in a marked car.

18 Q. And is his vehicle, his cruiser,
19 directly across Route 1? Is it at an angle? How
20 was it positioned?

21 A. He came straight directly across the

1 **traffic of Route 1. So directly across kind of**
2 **teed me.**

3 Q. Kind of teed you?

4 **A. Yes, I'm going straight.**

5 Q. And he's basically straight across the
6 road; is that correct?

7 **A. Yes.**

8 Q. How close do you get to his vehicle?

9 **A. I don't know. I saw him, and I stopped.**

10 Q. Can you give me any estimation of how
11 long it would have been? Are we talking about
12 two feet, ten feet, twenty feet?

13 MR. DOWNS: Objection. She says she
14 doesn't know.

15 **A. I don't know. I saw him, and I stopped.**
16 **So I don't know exactly -- I don't know. I don't**
17 **know.**

18 Q. Okay. So after you stopped, describe
19 for me as fully and completely as you can what
20 occurred?

21 MR. DOWNS: Objection. You can answer.

1 **A. So he comes across. I stop. Before I**
2 **get my car put in parked, barely, the officer**
3 **yanked open my door.**

4 **Q. Which officer yanked the open the door?**

5 **A. The officer that was in the car that cut**
6 **me off.**

7 Q. Do you know who that officer is?

8 **A. Now I believe it to be Pristash.**

9 Q. Describe for me what he looks like?

10 **A. Tall white male, dark hair.**

11 Q. When you say tall, how tall are you
12 talking about?

13 **A. Taller than me. He had on a uniform.**

14 Q. Any idea how tall he is?

15 **A. I don't know. For me being my height**
16 **everybody is six feet. I don't know.**

17 Q. While male in uniform?

18 **A. Right, he was in uniform.**

19 **Q. Was he giving you any commands at that**
20 **time?**

21 **A. Get out of the car, yanking me out of**

1 **the car.**

2 **Q. Before he goes ahead and puts his hand**
3 **on the door handle, does he give you any commands**
4 **to get out of vehicle?**

5 **A. No, I got no commands.**

6 **Q. Does he have a weapon drawn at that**
7 **point?**

8 **A. I don't know.**

9 **Q. So it's your testimony that he gave you**
10 **no verbal commands?**

11 **A. No verbal commands. I stopped my car,**
12 **and it seemed almost immediately he was at my**
13 **door, opened my door, yanked me out, and I still**
14 **had my seatbelt on, Cunningham was on the other**
15 **side of me. And I think in some kind of way -- I**
16 **don't know -- I got out of my seatbelt some kind**
17 **of way. I was yanked, pulled out of my vehicle,**
18 **thrown to the ground. My face was smashed to the**
19 **ground almost like a rubbing in. One officer had**
20 **my legs or someone had my legs. Someone had my**
21 **legs. There was someone with a knee in my back,**

1 **and Cunningham was trying to arrest me. And**
2 **while he was trying to put the handcuffs on me**
3 **and put the handcuffs, as he was doing it, he was**
4 **twisting and twisting and twisting my right arm.**

5 Q. Let's see whether we can break that down
6 a little bit. Officer Pristash comes to the
7 door. He opens the door?

8 **A. He opens the door.**

9 Q. You said he grabs you, correct?

10 **A. Yes.**

11 Q. Describe for me where he grabs you?

12 **A. My hood. So I had own a coat, and I had**
13 **on a sweat suit jacket. So he was grabbing at**
14 **the hood.**

15 Q. Was he grabbing with one hand or two
16 hands?

17 **A. I don't know.**

18 Q. You said Cunningham was on the other
19 side. Was he on the other side meaning the other
20 door?

21 **A. On the other door. So it was just a lot**

1 **of lights and -- it was just a lot of commotion.**

2 Q. So who got you out of the car?

3 **A. Pristash.**

4 Q. Do you have any understanding of how you
5 get out of the seatbelt?

6 **A. I have no understanding of how. I was**
7 **trying to fumble with it. I remember saying my**
8 **seatbelt, my seatbelt. So I may have hit the**
9 **button or it could have been Cunningham. I'm not**
10 **sure. It could have been me. It would have been**
11 **both. I don't know. But I was trying to get out**
12 **of the seatbelt, because I was being yanked.**

13 **Once I was dislodged from the seatbelt**
14 **and yanked out, thrown immediately to the ground**
15 **in the middle of the street. My glasses flew**
16 **off. My earrings, my wedding ring flew off. It**
17 **was just a lot of commotion.**

18 Q. Once they have you on the ground, you're
19 on the ground, which side is Pristash on, your
20 right side or your left side?

21 **A. I guess on my left, but I really don't**

1 **know.**

2 Q. Do you remember where Cunningham was?

3 A. He was on my right side putting --
4 trying to put the handcuffs on.

5 Q. Were there any other officers present at
6 that time?

7 A. At that point in time, I have no idea.
8 I do know my legs were being held. There was a
9 knee in my back and like up toward the upper part
10 of my back. And Cunningham was handcuffing me.
11 I want to say it was Pristash, I'm not sure, but
12 I want to say it was him that there was a gun to
13 my head as I was pressed down to the ground on my
14 left temple.

15 Q. So it's your testimony that you think
16 Pristash had a gun to your head?

17 A. Uh-huh.

18 Q. While Cunningham was trying to handcuff
19 you?

20 A. Yes. And I don't know who was on my
21 legs.

1 Q. Do you know who was on your back, the
2 knee in your back?

3 A. I'm thinking that it may have been
4 Pristash, but I don't know.

5 Q. Do you believe there were three officers
6 present at the time?

7 A. There had to have been.

8 Q. At least three?

9 A. At least at that time. I don't know --
10 I do know that those two, Pristash approached my
11 vehicle, Cunningham approached the vehicle.

12 Q. But based upon what you've described to
13 me, someone was holding your legs, someone having
14 a knee in your back, Cunningham trying to
15 handcuff you, and you are saying that Pristash
16 had a gun?

17 A. A gun to my head.

18 Q. You believe based upon that there were
19 more than two officers there, correct?

20 A. Yes.

21 Q. From the time that Pristash began

1 attempting to get you out of the vehicle until
2 the time that you were handcuffed, how much time
3 elapsed?

4 **A. I have no idea.**

5 Q. Are you able to quantify that at all?

6 **A. No, I would not, no. I don't know. The**
7 **whole situation happened so quick, it seemed like**
8 **it was taking forever.**

9 Q. Once you were handcuffed, what occurred
10 next?

11 **A. I was handcuffed, and they put me on my**
12 **knees.**

13 Q. They being who?

14 **A. The officers.**

15 Q. When you say the officers, can we try
16 and be a little bit more precise? Do you now see
17 a third officer there, or do you see Pristash and
18 Cunningham putting you on your knees?

19 **A. Everyone is behind me, so I'm not sure**
20 **who it was that put me to my knees. I just know**
21 **that I was on my knees, and I was on my knees for**

1 **what seemed to be quite a while, after being on**
2 **my knees in the middle of Route 1 for what seemed**
3 **like forever.**

4 Q. When you say quite a while, are you able
5 to explain to me how long was that?

6 A. I think something like ten minutes. It
7 was quite a while I was on my knees with
8 handcuffs, just left there. At that point, I had
9 a gun to my head. I wasn't moving. When I was
10 finally stood up and turned around, there was
11 nothing less than 10 or 15 officers. There were
12 marked cars, unmarked cars, canine units, just a
13 sea of officers and cars and lights and -- yes.

14 Q. So you believe there were 10 or 15
15 officers that were on the scene, correct?

16 A. Yes.

17 Q. After you're on your knees for 10,
18 however long it was, what happens next?

19 A. They pull me to put me on my feet.

20 Q. Who assisted you to your feet?

21 A. I have no idea. I see all the officers.

1 **I know that my -- I remember my arm hurting.**

2 Q. Which arm?

3 **A. The right arm. And I was begging for**
4 **them to loosen the handcuffs, and I kept saying I**
5 **need to untwist my arm, I need to untwist my arm.**

6 Q. Were you feeling pain in any other parts
7 of your body other than your arm at that point?

8 **A. Everything was pained at that time. I**
9 **had just been thrown to the ground. But the**
10 **arm -- the elbow, or the arm. I just said my**
11 **arm. Next question.**

12 Q. Okay. So you don't know who assisted
13 you to your feet?

14 **A. No, I don't.**

15 Q. Were you taken someplace?

16 **A. Eventually I was taken to the emergency**
17 **room.**

18 Q. When you're on Route 1, they didn't
19 leave you on Route 1, I take it. Where did you
20 go from there?

21 **A. So they kind of moved over to the side**

1 **of the road.**

2 Q. Towards the Royal Farms or by the
3 auto --

4 **A. The auto mechanic, or whatever.**

5 Q. Did someone walk you over there?

6 **A. Yes.**

7 Q. Do you know who walked you over there?

8 **A. I do not recall who walked me. But**
9 **there were many officers out there.**

10 Q. Was it Cunningham or Pristash that
11 walked you over?

12 **A. I do not know. I don't know. Someone**
13 **walked me over. To be honest with you, I don't**
14 **know what happened at that point. But I was**
15 **walked over. At some point, someone moved my**
16 **vehicle out of the road.**

17 Q. Do you know who did that?

18 **A. Someone. I don't know.**

19 Q. So someone moved your vehicle out of the
20 road?

21 **A. Someone moved my vehicle out of road**

1 **into the parking area where the other officers, I**
2 **guess this little auto place or whatever.**

3 Q. Are the officers saying anything to you?
4 Are you saying anything to the officers?

5 **A. At some point, I'm not sure when, about**
6 **each and every one of those officers came to me**
7 **and said what were you thinking? Why did you**
8 **run? Why did you run? And I said because I was**
9 **terrified. That was my response to every one of**
10 **them, I was terrified. They moved the car and I**
11 **guess searched the vehicle.**

12 Q. When you say you guess, did you actually
13 observe it?

14 **A. I observed it. They were searching the**
15 **vehicle.**

16 Q. Who was doing the search?

17 **A. All of the officers were looking through**
18 **the car.**

19 Q. When you say all of them, approximately
20 how many are we talking about?

21 **A. There were, like I said, 10 to 15**

1 **officers out there. They seem to have come and**
2 **gone. They kept coming.**

3 Q. But it's your recollection that the 10
4 or 15 officers were searching your vehicle?

5 **A. Uh-huh.**

6 Q. That's a yes?

7 **A. Yes. I'm sorry.**

8 Q. That's fine. Do you know whether the
9 officers who were doing the search, whether
10 Cunningham and Pristash were doing a search?

11 **A. I believe they did as well.**

12 Q. What's that based upon?

13 **A. I think just -- it just seemed like it**
14 **would be what they would do since they were the**
15 **ones that stopped me. But there were many**
16 **officers around my vehicle and many of them were**
17 **in and out of the vehicle.**

18 Q. My question is: In your mind's eye, do
19 you have a recollection of seeing Cunningham?

20 **A. In my mind's eye, all I see are red and**
21 **blue lights and officers.**

1 Q. That's why it's important for both of us
2 to let each other finish my question and your
3 answers. So my question is: Sitting here today,
4 are you able to say whether Cunningham and
5 Pristash were two of the 10 other 15 officers
6 that were searching your vehicle?

7 **A. Yes.**

8 Q. And what is that based upon? Is that
9 based upon your recollection, or is that based
10 upon an assumption?

11 **A. I'm going to say that's based upon my**
12 **recollection.**

13 Q. What is it specifically --

14 **A. Given who I know them to be seeing them**
15 **in court.**

16 Q. Tell me specifically what you recall
17 them doing in terms of searching your vehicle?

18 **A. They searched the trunk. They searched**
19 **the inside of my vehicle. At some point, there**
20 **was another officer that allowed me to sit in the**
21 **backseat of my car while he was searching. I**

1 **don't recall his name.**

2 **Q.** Well, let's back up here. Tell me what
3 is your specific recollection of what Cunningham
4 and Pristash did in terms of the search? Do you
5 know what they did specifically?

6 **A.** I do recall Cunningham looking in my
7 trunk, the trunk of my car. I do recall Pristash
8 bending over on the driver's side like I guess
9 looking on the floor and up under the steering
10 wheel area of my vehicle. I do recall that.

11 Q. Okay. And then do you recall these
12 other officers also doing searches of your
13 vehicle?

14 **A.** Yes.

15 Q. Let me back up. It's your testimony
16 that at some point an officer allowed you to sit
17 in your vehicle?

18 **A.** Yes.

19 Q. Provide your best description of what
20 that officer looked like?

21 **A.** Tall white male, bald, kind of thick.

1 Q. I know you said you don't remember his
2 name. Do you remember his rank? Did anyone
3 refer to him by a rank?

4 A. No, no one referred to him at this time
5 as a rank. But he did have on a badge. I want
6 it say his name started with a W, but I don't
7 recall.

8 Q. This officer allowed you to sit in the
9 back of the vehicle?

10 A. He did. He was also the same officer
11 that loosened the handcuffs.

12 Q. When you were initially handcuffed, I
13 take it you were handcuffed behind your back,
14 correct?

15 A. Yes.

16 Q. At some point, were the handcuffs --
17 were you handcuffed in the front?

18 A. I believe by the time the paramedic
19 came.

20 Q. How much time do you think elapsed
21 before the paramedics arrived?

1 **A. It seemed forever. I don't know. It**
2 **was a very long time.**

3 Q. Can you give me any idea in terms of
4 time?

5 MR. DOWNS: Objection. The witness says
6 she doesn't know. Asked and answered.

7 **A. It was a long time.**

8 Q. Okay. How long do you think you
9 remained sitting in the back of your vehicle?

10 **A. I don't know.**

11 Q. Did you remain seated in the back of
12 your vehicle until the paramedics arrived?

13 **A. I don't recall.**

14 Q. Do you recall any conversations you had
15 with the officers other than what you've already
16 described or why did you run or why did you take
17 off, or something to that effect?

18 **A. Yes. I actually said to the officer**
19 **that was searching my car at the time, that was**
20 **the gentleman that I just told you about, I said**
21 **to him --**

1 Q. This is the gentleman whose name you
2 believe begins with a W?

3 A. Yes. I can't remember. But I said to
4 him, I am watching you, I am watching you.

5 Q. Did he respond?

6 A. He did not. He also -- I mean, he was
7 just looking so intently. Then he went to the
8 trunk of my car. And at that point, I did ask
9 him what are you looking for? And he says -- at
10 some point I think someone asked me, or he asked
11 me, someone asked me, I want to say it was him
12 but I'm not sure, oh, what was I doing in the
13 area? What was I doing in the area? I told him
14 I was working. When he was in the trunk of my
15 car, I asked him what he was looking for. And he
16 said to me, I'm looking for proof that you do
17 what you say you do. He was looking through
18 my -- a stack of business card and he was looking
19 for a business card or something. And I said,
20 well, I don't have a business card. But I have a
21 client list. So I told him where he could find

1 **the client listing, and the client list had**
2 **addresses and all that stuff on it. So I guess**
3 **that satisfied what he was looking for. He also**
4 **was the officer that asked me if I wanted to go**
5 **to the emergency room, if I wanted medical**
6 **attention. That's what he said, do you need**
7 **medical attention.**

8 **Q. What was your response?**

9 **A. Initially, I just kept saying look, I**
10 **just want to go home. I'm not sure what's going**
11 **on. I just want to go home. After my arm was**
12 **paining me so terribly, I eventually said yes.**

13 **Q. Okay. Let me back up for a second.**
14 **When you were speaking to your pastor you said**
15 **you had an earpiece in?**

16 **A. Uh-huh. Only on the one side. Always**
17 **on the right-hand side.**

18 **Q. Did you keep the earpiece in?**

19 **A. Once the officer came, no.**

20 **Q. Where did you put the ear piece?**

21 **A. I just pulled it out of my ear.**

1 Q. Tell me what happened once the
2 paramedics arrived.

3 A. When the paramedics arrived, when they
4 came, the officer said -- Cunningham told them to
5 take me to Union Memorial in Elkton. And the
6 driver said, well, that's not the closest
7 hospital, Harford Memorial is. He said no, I
8 want her to go to Union in Elkton.

9 Q. Did he tell you why, or did he give an
10 explanation?

11 A. He was not talking to me.

12 Q. Did he provide the driver an
13 explanation?

14 A. No. He just said that's where he wanted
15 me to go. And she continuously said, yeah, but
16 the closest hospital is Harford Memorial. And he
17 was very adamant about going to Union in Elkton.

18 Q. Union in Elkton, just for purposes of
19 the record.

20 A. Union Hospital in Elkton, Maryland.

21 Q. Which is in Cecil County?

1 **A. Yes.**

2 Q. The driver was talking about Harford
3 Memorial, which is in Harford County, correct?

4 **A. Yes. But it was the closest hospital.**
5 **I guess -- I don't know what happened. I wound**
6 **up going there. But there was an older gentleman**
7 **that came, and he said to the driver, he pulled**
8 **up in another Water Witch vehicle --**

9 Q. What kind of vehicle?

10 **A. It's called Water Witch.**

11 Q. What is that?

12 **A. Which I guess is their paramedic. It's**
13 **called Water Witch.**

14 Q. This is another paramedic?

15 **A. Yes.**

16 Q. That's a new one on me. I've never
17 heard of that before.

18 **A. He came, and the driver said you don't**
19 **have to do that. You don't have to go all of the**
20 **way out there. It's out of the way. You don't**
21 **have to do that. They know the rules. You're**

1 **supposed to go to the closest hospital. She said**
2 **oh, no, we don't have any calls. I'll just go**
3 **ahead and do what he asked. He said you don't**
4 **have to do that. She says, well, I'll just do**
5 **it. And so we wound up taking the very long ride**
6 **to Elkton, Maryland in Cecil County to Union**
7 **Hospital.**

8 Q. Where you were stopped on Route 1, that
9 was in Cecil County, correct?

10 **A. Yes, I believe that is still part of**
11 **Cecil County.**

12 Q. What, if any, medical treatment was
13 rendered by the paramedics at the scene?

14 **A. There was nothing rendered at the scene.**

15 Q. You were taken by ambulance?

16 **A. By ambulance.**

17 Q. And were you on a gurney, or how were
18 you situated?

19 **A. I stepped up into the ambulance. Sat on**
20 **the gurney. They strapped me in and took me to**
21 **the hospital.**

1 Q. Were you handcuffed at that point?

2 **A. I was still handcuffed.**

3 Q. Did anyone ride in the back of the
4 ambulance with you?

5 **A. Yes, there were two people in the back**
6 **with me.**

7 Q. And were they paramedics, or were they
8 law enforcement officers?

9 **A. Paramedics.**

10 Q. Did you say anything? Do you recall any
11 discussion with the paramedics on the transport?

12 **A. No, not that I recall.**

13 Q. Do you recall or have an understanding
14 of how long it took to get from where you were
15 stopped to get to Union Memorial Hospital?

16 **A. Do I recall how long? It's close to a**
17 **30-minute drive.**

18 Q. Okay. So you think it took about 30
19 minutes to get to Union Memorial?

20 **A. At least.**

21 Q. Did a deputy sheriff from Cecil County,

1 was there a deputy sheriff from Cecil County at
2 Union Memorial Hospital?

3 **A. Cunningham was there to receive me.**

4 Q. Any other officers other than Deputy
5 Cunningham?

6 **A. No.**

7 **Q. Once you got to Union Memorial, what's**
8 **your recollection of what treatment you received?**

9 **A. They did an x-ray. They said I had a**
10 **very bad sprain. They gave me a sling, and that**
11 **was it.**

12 Q. How long do you think you were at Union
13 Memorial Hospital?

14 **A. A couple hours, I guess.**

15 Q. And were you in an actual room, or were
16 you -- where were you, in the emergency room?
17 Where were you?

18 **A. There was like a room in the back**
19 **portion of the emergency room, I guess.**

20 Q. Was Cunningham present when you were
21 being treated?

1 **A. Yes, he was.**

2 Q. Were you handcuffed or not handcuffed?

3 **A. I remained handcuffed.**

4 Q. So you remained handcuffed?

5 **A. I remained handcuffed.**

6 Q. Did you remain handcuffed the entire
7 time?

8 **A. The entire time except for when the**
9 **x-ray was taken.**

10 Q. They took the handcuffs off to do the
11 x-ray, and then they re-handcuffed you?

12 **A. Yes, he re-handcuffed me.**

13 Q. Did he handcuff you in the front or the
14 rear?

15 **A. In the front.**

16 Q. So where did you go after you left Union
17 Memorial Hospital?

18 **A. By that time, it was -- I went to I**
19 **guess a holding cell in Elkton, the Detention**
20 **Center holding cell.**

21 Q. Did you go back to the Sheriff's Office?

1 **A. I don't know where it was, actually.**

2 Q. Okay.

3 **A. I went to a building and what seemed to**
4 **me to be like a back door. There was a cell, all**
5 **concrete, and put in there.**

6 Q. You were obviously transported from
7 Union Memorial?

8 **A. By Cunningham in the back of his**
9 **vehicle.**

10 Q. Were you handcuffed at that time?

11 **A. I was handcuffed.**

12 Q. Once you got to the holding cell, as
13 you've described it, did you remain handcuffed?

14 **A. No. Once he put me in the cell, he took**
15 **the handcuffs off.**

16 Q. Was there anyone else in the cell?

17 **A. No.**

18 Q. How long did you remain in the cell?

19 **A. Oh, gee, hours it seems.**

20 Q. Okay. So you believe you were in the
21 holding cell for a couple hours?

1 **A. Yes.**

2 Q. Did anyone come by and speak to you
3 during that time period?

4 **A. No.**

5 Q. Did -- what's the next thing that
6 occurred after you're waiting in the holding cell
7 for a couple of hours?

8 **A. After that I was stripped of all my
9 clothing, other than my blouse and my pants --**

10 Q. Who stripped you of your clothing?

11 **A. At that time, when I got there, I was
12 searched, so there was a female that searched me.
13 They took my clothes. And I was left with my
14 blouse and my pants.**

15 Q. What clothes did they take?

16 **A. My jacket, the sweat suit jacket, my
17 shoes. At that point, I don't know if I had a
18 hat on. I didn't have a hat on at that point.
19 Anything other than my blouse and my pants. So
20 once I took my shoes off, I walked into the cell,
21 and they took the handcuffs off, and that's where**

1 **I was.**

2 Q. You're in the cell for a couple hours,
3 correct?

4 **A. It seems that way, yes.**

5 Q. What occurred next?

6 **A. Cunningham came to take me out of the**
7 **cell. I was fingerprinted and my picture taken**
8 **and put back in the cell.**

9 Q. Okay. So your testimony is he did
10 fingerprint you?

11 **A. Yes.**

12 Q. Were you handcuffed during this process?

13 **A. I don't recall.**

14 Q. But your recollection is that they
15 photographed you, fingerprinted you, and then
16 they put you back in the cell?

17 **A. Uh-huh.**

18 Q. That's a yes?

19 **A. Yes.**

20 Q. How long did you remain in the cell the
21 second time?

1 **A. Quite a while. I'm not sure of how**
2 **long. It just seemed to be a very long time.**

3 Q. Was anyone in the cell with you the
4 second time?

5 **A. No.**

6 Q. And then what occurred after that?

7 **A. Cunningham came back, put the handcuffs**
8 **on me again, and I got back in the car. He had**
9 **all of my belongings. They did give me my shoes**
10 **back to walk out to his car. I got in the car,**
11 **and then by that time I guess we went to the**
12 **actual Detention Center, sat in the car for I**
13 **want to say about 20 minutes at the gate. He**
14 **made a phone call on his cell phone, and he**
15 **said -- I don't know who he was talking to -- but**
16 **he said something to the effect of it won't go**
17 **through, it won't go through. I don't know what**
18 **he was talking about.**

19 **And then after, I want to say about 20**
20 **minutes, because I remember asking him what time**
21 **it was. And I recall him saying something like**

1 **1:17 or 12:17. I remember something about 17.**

2 **So it was pretty late.**

3 **And so we were just sitting there at the**
4 **gate and waiting for I guess the gate to open.**

5 **Q. Did you have any other conversation with**
6 **Cunningham either during the first transport or**
7 **the second transport?**

8 **A. I was continuously begging him**
9 **throughout the entire process to allow me to**
10 **answer my phone, or he would answer my phone to**
11 **let me husband know that I was okay, because my**
12 **husband was calling me continuously. My daughter**
13 **was calling me continuously. My pastor was**
14 **calling me continuously. And how do I know,**
15 **because they all three have distinctive rings.**
16 **They were back to back to back. He had my cell**
17 **phone the entire time. And I could hear the**
18 **phone ringing. And I was just begging him to**
19 **answer the phone.**

20 **At some point in there we did go to the**
21 **Commissioner's Office. I forgot about that part.**

1 **So we left the cell, went to the Commissioner's**
2 **Office and then went to the Detention Center. I**
3 **think that's how that happened.**

4 Q. Did you appear in front of the
5 Commissioner?

6 **A. I did.**

7 Q. What do you recall about your appearance
8 in front of the Commissioner?

9 **A. I don't really recall exactly all that**
10 **was being said, but I didn't realize that I was**
11 **going to a Detention Center at the time. I**
12 **thought that I was going to be able to sit there**
13 **and wait until 8:00 in the morning.**

14 Q. Do you recall anything about what
15 happened when you appeared before the
16 Commissioner?

17 **A. Other than the fact of me asking the**
18 **Commissioner if I could have my phone call. And**
19 **the Commissioner said -- because Cunningham told**
20 **me that I wouldn't be able to have a phone call**
21 **until I got to the Commissioner. That's what he**

1 **told me.**

2 **So when I got to the Commissioner, I was**
3 **asking for the phone call, and he said oh, you**
4 **can't do that until you're processed or something**
5 **to that effect.**

6 Q. Did the Commissioner ask you whether you
7 wanted a lawyer?

8 A. Yes. And I decided to wait to have
9 representation, which would be, he told me 8 or
10 8:30 in morning and then a public defender.

11 Q. So you appeared before the Commissioner,
12 and the Commissioner asked whether you wanted an
13 attorney, and you said you did.

14 A. Uh-huh.

15 Q. The Public Defender -- you were told the
16 Public Defender would be available the next
17 morning, correct?

18 A. Yes.

19 Q. And then Cunningham took you to the
20 Detention Center, correct?

21 A. Yes.

1 Q. Okay. And other than asking Cunningham
2 to either allow you to answer your phone and/or
3 to have him answer your phone, do you recall any
4 other conversations you had with Cunningham?

5 A. No.

6 Q. It's your testimony that on the two
7 transports from when you were transported to
8 Union Memorial and then transported to the
9 Commissioner and then transported to the
10 Detention Center, on each one of those
11 transports, you were handcuffed, correct?

12 A. Yes.

13 Q. What happens once you get to the
14 Detention Center?

15 A. I was strip searched.

16 Q. Do you recall who strip searched you?

17 A. It was a female officer.

18 Q. This is a Deputy Sheriff or a
19 Correctional Officer?

20 A. I don't recall. I didn't know one from
21 the other at any time. I was given the uniform,

1 **two left shoes that were way larger than what my**
2 **feet are, and yes, put into a cell.**

3 Q. Anyone else in the cell with you?

4 **A. No.**

5 Q. Were you seen by the Commissioner the
6 following morning?

7 **A. Yes.**

8 Q. When you got to the Detention Center,
9 did you ask to make any telephone calls?

10 **A. Yes.**

11 Q. Were you permitted to make any telephone
12 calls?

13 **A. No.**

14 Q. Who denied you the right to make the
15 telephone calls?

16 **A. The officers that were there. They told**
17 **me I had to be processed, and that was the answer**
18 **that I got continuously.**

19 Q. So you -- were you ever permitted to
20 make any telephone calls?

21 **A. About 5:30 the next morning.**

1 Q. Where did you make the call from?

2 **A. From the Detention Center.**

3 Q. And this was from a Detention Center
4 phone, I take it?

5 **A. The pay phone, yes.**

6 Q. Were you seen by the Commissioner that
7 morning?

8 **A. Yes.**

9 Q. How was that done? Was that done by
10 video?

11 **A. No. I was taken from the Detention**
12 **Center back to the courthouse transported by two**
13 **other officers.**

14 Q. And you don't know whether they were
15 Deputy Sheriffs or Correctional Officers?

16 **A. No. I want to say they were deputies,**
17 **but I really don't recall.**

18 Q. What time were you seen by the
19 Commissioner?

20 **A. I guess it must have been about 8:30,**
21 **8:00, 8:30.**

1 Q. And you were represented by the Public
2 Defender?

3 A. Yes.

4 Q. And were you released by the
5 Commissioner?

6 A. Yes.

7 Q. How did you get from the courthouse back
8 to your house or wherever you were going?

9 A. I was released back into the custody of
10 the officers that brought me there.

11 Q. Where did they take you?

12 A. Handcuffed, shackled around my ankles
13 and the waist. They took me back to the
14 Detention Center and put me back in the cell, and
15 I waited.

16 Q. How long did you wait?

17 A. I wasn't released until the afternoon.

18 Q. And did someone pick you up at the
19 Detention Center?

20 A. My husband was there waiting for me.

21 MR. DOWNS: Is this a good place to take

1 a two-minute restroom break?

2 MR. KARPINSKI: Yes.

3 (Recess.)

4 BY MR. KARPINSKI:

5 Q. Before we go on too far, what's your
6 husband's cell phone number?

7 A. 443-326-8734.

8 Q. And would that have been his number in
9 2016?

10 A. Yes.

11 Q. And what's the provider?

12 A. AT&T.

13 Q. And your daughter's cell phone number?

14 A. 443-310-8186.

15 Q. Is that AT&T as well?

16 A. Yes.

17 Q. And your cell phone number?

18 A. 443-562-8959.

19 Q. AT&T, correct?

20 A. Yes.

21 Q. Those would have been the cell phone

1 numbers on the date of this incident?

2 **A. I believe so, yes.**

3 Q. Well, is it possible --

4 **A. I was thinking about my daughter, but**
5 **yes.**

6 Q. You're comfortable that that was your
7 cell phone number at the time?

8 **A. Oh, yes.**

9 Q. So after you were released from the
10 Detention Center, and I take it your husband
11 picked you up, when was the first time you sought
12 medical treatment?

13 **A. On -- I was released on Friday. I**
14 **sought medical treatment on Saturday.**

15 Q. Where did you go?

16 **A. Upper Chesapeake Medical Center in**
17 **Bel Air, Maryland.**

18 **Q. What sort of symptoms were you having**
19 **that you felt necessitated medical treatment?**

20 **A. My elbow looked like a softball was**
21 **sitting on it. It was very swollen.**

1 Q. Any other physical injuries?

2 A. Bruises on the face from glass and
3 gravel being stuck in my skin from pressing.
4 Swollen limbs, but mainly it was the elbow.

5 Q. Had you ever been to Upper Chesapeake
6 before?

7 A. I don't believe so, no.

8 Q. Do you have a primary care provider now?

9 A. Yes, I do.

10 Q. Who is that?

11 A. Dr. Palisoc, P-A-L-I-S-O-C.

12 Q. Where is Dr. Palisoc located?

13 A. In Manchester, Pennsylvania.

14 Q. How long has Dr. Palisoc been your
15 primary care physician?

16 A. December.

17 Q. Who was your primary care physician
18 before that?

19 A. Robert Roby, R-O-B-Y, at Sinai Hospital
20 in Baltimore.

21 Q. How long was Dr. Roby your primary care

1 physician?

2 **A. 20 years.**

3 Q. Have you ever -- putting aside this
4 case, have you ever sought any counseling for
5 mental or emotional issues you may be having?

6 **A. No.**

7 Q. Have you ever been prescribed any
8 medication for depression or anxiety?

9 **A. No.**

10 Q. You saw someone at Chesapeake on that
11 Saturday following the incident. What would have
12 been your next treatment that you received?

13 **A. I was sent to a specialist.**

14 Q. Do you remember the name of the
15 specialist?

16 **A. I believe they called him Dr. Raj,**
17 **R-A-J, and then I was sent to Dr. Abzug, and then**
18 **I went to -- yes, those two at Upper Chesapeake.**

19 Q. Dr. Raj, do you recall what kind of
20 treatment he gave you?

21 **A. I believe he was the one that put me in**

1 **the cast.**

2 Q. This --

3 **A. Wait a minute. No, no, no. Because I**
4 **was seen in the emergency room. So the emergency**
5 **room put me in a cast. He recasted it once he**
6 **did his examination.**

7 **Q. The emergency room on the night of the**
8 **incident put you in a cast?**

9 **A. That Saturday, yes.**

10 Q. They put a hard cast on?

11 **A. I believe so.**

12 Q. You believe Dr. Raj may have recasted it
13 at some point?

14 **A. Yes.**

15 Q. The other doctor, Abzug?

16 **A. I think we kept the cast, and after a**
17 **certain amount of time went to a soft cast.**

18 Q. What else do you recall about your
19 medical treatment?

20 **A. Not a whole lot. It was a long time, it**
21 **seemed.**

1 Q. Do you recall seeing any other doctors?

2 A. Being evaluated at Orthopedic Associates
3 or Ortho Maryland.

4 Q. No other doctors that we haven't already
5 talked about?

6 A. Ortho Maryland, Dr. Keene, K-E-E-N-E.

7 Q. Did you seek any counseling as a result
8 of this incident?

9 A. I did.

10 Q. When did that begin?

11 A. I do not recall exactly when. I don't
12 recall exactly when.

13 Q. Can you give me any estimation, a month
14 or two months? If you can't, you can't. But do
15 you have any approximation?

16 MR. DOWNS: Objection.

17 A. I don't know. I know I did it.

18 Q. Do you recall how frequently you sought
19 counseling?

20 A. I think like once or twice a week,
21 depending on what was needed, I guess.

1 Q. For how long?

2 **A. It was a few months.**

3 Q. Who did you see?

4 **A. I went to Safe Harbor.**

5 Q. Was this individual counseling, or was
6 this group counseling?

7 **A. Individual.**

8 Q. Did you ever have group counseling?

9 **A. I did. I did an IOP at Kaiser.**

10 Q. What does IOP stand for?

11 **A. Individual -- it's group therapy. I**
12 **can't even think right now. But yes.**

13 Q. Do you recall when you did the therapy
14 at Kaiser?

15 **A. It was like between spring, summer 2018.**

16 Q. Was there something that prompted you to
17 begin group therapy in 2018 for an incident that
18 occurred in 2016?

19 **A. Say that again.**

20 Q. Was there something that prompted you to
21 begin therapy in 2017?

1 MR. DOWNS: As long as you can answer
2 without discussing any conversations that you and
3 I had.

4 A. Okay. Just a realization. I still had
5 some things going on.

6 Q. Were you referred by your attorney to
7 group therapy?

8 A. No, I was not.

9 Q. Are you still in group therapy?

10 A. I am not.

11 Q. When did you stop your group therapy?

12 A. It ended sometime I think a few months
13 after I started.

14 Q. Why did you cease your group therapy?

15 A. I moved to Pennsylvania.

16 Q. Have you attempted to go ahead and find
17 a therapist or group therapy in Pennsylvania?

18 A. I have.

19 Q. Have you had any success in that regard?

20 A. Yes.

21 Q. Have you started group therapy in

1 Pennsylvania?

2 **A. Not group therapy, individual therapy.**

3 Q. Who are you seeing in Pennsylvania?

4 **A. I go to Tremetire, T-R-E-M-E-T-I-R-E.**

5 **The first name is Nicholle, N-I-C-H-O-L-L-E.**

6 Q. Where is Nicholle Tremetire located?

7 **A. In York, Pennsylvania. It's Tremetire**
8 **Trauma Services.**

9 Q. What's your husband do for a living?

10 **A. He's a carpenter.**

11 Q. And what precipitated your move from
12 Maryland to Pennsylvania?

13 **A. Trauma.**

14 Q. When you say trauma, what do you mean?

15 **A. Trauma, traumatic experience dealing**
16 **with this situation, I moved.**

17 Q. It's your testimony that you moved from
18 Maryland to Pennsylvania as a result of the
19 incident on January 14 of 2016?

20 **A. 2016, yes.**

21 Q. And that's what was the basis for your

1 decision to move?

2 **A. Yes.**

3 Q. How often do you see Nicholle Tremetire?

4 **A. Once a week.**

5 Q. For how long?

6 **A. I'm still in treatment.**

7 Q. I understand. But how long is a
8 session, an hour, two hours?

9 **A. About an hour.**

10 Q. Okay. Are you seeing anyone else
11 currently for any emotional issues as a result of
12 the incident in 2016?

13 **A. No.**

14 Q. Do you have a recollection of what you
15 were initially charged with?

16 **A. Fleeing and eluding, driving right of
17 center. That's all I recall.**

18 Q. And your case was originally tried in
19 the District Court?

20 **A. Yes.**

21 Q. Do you remember who your attorney was?

1 **A. Palmeiro.**

2 Q. And you testified at trial?

3 **A. I did.**

4 Q. And did any of the officers testify?

5 **A. Yes.**

6 Q. Which officers testified?

7 **A. Cunningham, Pristash, and the other one.**

8 **I can't remember his name.**

9 Q. What was the outcome of your District
10 Court trial?

11 **A. I don't recall. I don't recall.**

12 Q. Do you recall being found guilty of
13 anything?

14 **A. I do not.**

15 Q. You don't recall one way or the other?

16 **A. No. I know that it was dropped at the
17 Circuit Court level.**

18 Q. At the what?

19 **A. I believe at the Circuit Court level. I
20 know that the charges were dropped.**

21 Q. Let me ask you this: You recall

1 appearing in the District Court, correct?

2 **A. Honestly, it was just court for me.**

3 Q. But you recall appearing and testifying
4 in court, correct?

5 **A. Yes.**

6 Q. District Court, Circuit Court, we'll
7 figure all that out some other time. And then in
8 a subsequent period of time, the charges were
9 dropped, correct?

10 **A. Yes.**

11 Q. Did you actually need to appear again in
12 court, or were you just told by your lawyer --

13 **A. No, I appeared every time. Every**
14 **cancellation, every postponement, I was there.**

15 Q. How many times do you believe court was
16 either canceled or postponed?

17 **A. Four, at least.**

18 Q. Were these after the time that you had
19 testified in court, or were there times before
20 you had testified in court?

21 **A. What do you mean?**

1 Q. That court had been canceled?

2 A. After the first initial time that I
3 testified in court?

4 Q. Yes.

5 A. Yes.

6 Q. Four times it had been continued?

7 A. At least, yes.

8 Q. Were you in court when you were told
9 that the charges were being dropped?

10 A. Yes.

11 Q. Who was representing you at that time?

12 A. Riddler, R-I-D-D-L-E-R, Riddle.

13 Q. Riddle. I'll help you out.

14 A. I figured you knew.

15 Q. The four times that you appeared, did
16 the officers appear?

17 A. Not every time. I'm not sure whether
18 they did or did not.

19 Q. Do you recall having any interaction
20 with the officers during the court proceedings?

21 A. What do you mean interactions?

1 Q. Conversations, discussions, anything of
2 that nature?

3 A. With the officers?

4 Q. Yes.

5 A. No.

6 Q. Do you have any photographs regarding
7 any of the injuries that you had?

8 A. Do I have photographs personally?

9 Q. Yes.

10 A. Yes.

11 Q. Have you shared those with your counsel?

12 A. Yes.

13 Q. What photographs do you believe you
14 have, ma'am?

15 A. What photographs do I believe I have?

16 Q. Uh-huh.

17 A. I'm sure you can obtain those from my
18 attorney, correct?

19 MR. DOWNS: I can proffer that I
20 received a photograph of a jacket that I'll send
21 over to you this weekend.

1 MR. KARPINSKI: That's what it is, of a
2 jacket?

3 MR. DOWNS: Of the jacket that she was
4 wearing at the time.

5 (Whereupon, Sherrill Deposition
6 Exhibit No. 1, Answers to Interrogatories,
7 marked.)

8 (Whereupon, Sherrill Deposition Exhibit
9 No. 2, Answers to Interrogatories, marked.)

10 BY MR. KARPINSKI:

11 Q. I'm going to show you what's been marked
12 as Exhibit 1, and that's your Answers to
13 Interrogatories to Defendant Pristash.

14 Do you see that?

15 **A. Okay.**

16 Q. If you turn to the second-to-the-last
17 page, I just want to confirm, that's your
18 signature, correct?

19 **A. Yes.**

20 Q. And you understood you were signing
21 these under the penalties of perjury?

1 **A. Yes.**

2 Q. And the answers were to the best of your
3 knowledge or information at the time?

4 **A. Yes.**

5 Q. I take it you read the answers before
6 you signed them?

7 **A. Yes.**

8 Q. And you signed them because they were to
9 the best of your knowledge and recollection,
10 correct?

11 **A. Yes.**

12 Q. Turn to Exhibit 2. If you turn to
13 the -- it looks like page -- fourth to the end,
14 that's your signature, ma'am?

15 **A. Yes.**

16 Q. The same question, you understood that
17 these are under the penalties of perjury?

18 **A. Yes.**

19 Q. And they are accurate to the best of
20 your knowledge, information, and belief at the
21 time you signed them?

1 **A. Yes.**

2 Q. Have you been a plaintiff or a defendant
3 in any lawsuit other than the one we've talked
4 about today?

5 **A. A criminal lawsuit or civil?**

6 Q. A civil lawsuit where you either have
7 brought a suit like you have in this particular
8 instance against someone, or you have been sued
9 by someone else?

10 **A. No, not to this magnitude.**

11 Q. Not only to this magnitude. Basically
12 at all. Have you ever been a plaintiff or a
13 defendant in any case?

14 **A. Yes.**

15 Q. What was the case about?

16 **A. Probably a car accident or something.**

17 Q. Was this a case that you brought the
18 suit or you were sued?

19 **A. I probably brought the suit.**

20 Q. Do you believe this happened on one
21 occasion or more than one occasion?

1 **A. Maybe twice in my lifetime.**

2 Q. Do you recall whether those were
3 actually lawsuits, or they were just claims for
4 injuries?

5 **A. Claims.**

6 MR. KARPINSKI: Ma'am, those are all the
7 questions I have for you.

8 MR. DOWNS: I have a few followups.

9 EXAMINATION BY MR. DOWNS:

10 Q. I want to take you back to the scene of
11 the incident after you were pulled out of the
12 car. Are we in the same place?

13 **A. Yes.**

14 Q. So you mentioned that Officer Cunningham
15 twisted your right arm. Do you remember saying
16 that on direct examination?

17 **A. Yes.**

18 Q. Describe the pain that you felt when
19 Officer Cunningham twisted your right arm?

20 **A. It was just a sharp shooting pain that**
21 **went up and down through my arm.**

1 Q. Which arm?

2 A. My right arm.

3 Q. Did you have that pain to your right arm
4 prior to --

5 A. I didn't.

6 Q. Sorry. I need to finish my question.
7 That's my fault. Did you experience that pain in
8 your right arm prior to Officer Cunningham
9 twisting your right arm?

10 A. No.

11 Q. Describe the amount of force that
12 Officer Cunningham used in twisting your right
13 arm?

14 MR. KARPINSKI: Objection.

15 A. To have the -- according to what I know
16 from the examination, to have the bone to be
17 broken where it was broken had to be pretty
18 much -- it had a lot of force.

19 Q. You said bone broken. To be clear,
20 which bone are we talking about, just generally?

21 A. I don't recall the bone.

1 Q. Where on your body?

2 A. It was my elbow.

3 Q. Which arm?

4 A. My right arm.

5 Q. You mentioned that Officer Pristash had
6 a gun to your head. Do you remember that
7 testimony on direct examination?

8 A. I do.

9 Q. What side of your body was Officer
10 Pristash on?

11 A. The left side.

12 Q. What side of your body was Officer
13 Cunningham on at that time?

14 A. On the right side.

15 Q. So how do you know it was Officer
16 Pristash with the gun to your head as opposed to
17 Officer Cunningham?

18 A. Cunningham was arresting me -- well, was
19 putting the handcuffs on my wrists.

20 Q. You mentioned being thrown to the ground
21 before the twisting of the arm. Do you know

1 which officer threw you to the ground?

2 **A. Pristash. He was the one that pulled me**
3 **from the vehicle.**

4 **Q. When he threw you to the ground,**
5 **describe what part of your body hit the ground?**

6 **A. The right side of my body. Well, my**
7 **whole body hit the ground. I landed on the right**
8 **side of my face.**

9 **Q. And describe how the right side of your**
10 **face felt when you were landing on the right side**
11 **of your face after Pristash threw you to the**
12 **ground?**

13 **A. I was pretty scarred up. Yes.**

14 MR. DOWNS: Nothing further. Thank you
15 very much. We're going to read and sign.

16 THE REPORTER: Would you like a copy?

17 MR. DOWNS: Yes, please.

18 (Whereupon, the deposition was concluded
19 at 11:51 a.m.)
20
21

1 STATE OF MARYLAND
2 COUNTY OF BALTIMORE

3 I, Linda A. Crockett, a Notary Public of
4 the State of Maryland, do hereby certify that the
5 within named, TALATHA SHERRILL, was deposed at
6 the time and place herein set out, and after
7 having been duly sworn by me, was interrogated by
8 counsel.

9 I further certify that the examination
10 was recorded stenographically by me, and this
11 transcript is a true record of the proceedings.

12 I further certify that the stipulations
13 made herein were entered into by counsel in my
14 presence.

15 I further certify that I am not of
16 counsel to any of the parties, nor an employee of
17 counsel, nor related to any of the parties, nor
18 in any way interested in the outcome of this
19 action.

20 As witness my hand and notarial seal
21 this 27th day of March, 2019.

My commission expires: December 28, 2020



Notary Public

INDEX OF WITNESSES

WITNESS	PAGE
TALATHA SHERRILL	
By Mr. Karpinski:	3
By Mr. Downs:	109

E X H I B I T S

(Retained by counsel.)

EXHIBIT NUMBER:	PAGE
No. 1 Answers to Interrogatories	106
No. 2 Answers to Interrogatories	106

CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the within transcript, and the same is a true and accurate record of the testimony given by me.

Any additions or corrections that I feel are necessary, I will write on a separate sheet of paper to the original transcript.

TALATHA SHERRILL

DATE

WORD INDEX

< 1 >

1 36:12, 13
 52:8 53:6, 11
 54:19, 21 55:11,
 19 56:1 64:2
 65:18, 19 77:8
 106:6, 12
 114:12
1:17 85:1
1:18-CV-00476-J
KB 1:8
10 39:1 64:11,
 14, 17 67:21
 68:3 69:5
106 114:12, 13
109 114:6
11:51 112:19
12:17 85:1
120 2:13
14 16:12, 19
 19:13 20:1
 25:19 26:12
 33:14 100:19
15 27:2, 3, 5
 39:1 64:11, 14
 67:21 68:4
 69:5
17 85:1
17345 6:5
18 1:13
1850 2:13

< 2 >

2 106:9 107:12
 114:13
20 1:14 2:5
 84:13, 19 95:2
2014 37:4
2016 16:12, 19
 17:13 19:14
 20:1 25:19
 33:14 92:9
 98:18 100:19,
 20 101:12
2017 11:7 12:3
 98:21
2018 19:12, 14
 98:15, 17

2019 1:13

113:13
2020 113:14
21013 6:17
21201 2:6
21202 2:14
222 30:15, 18
 31:2, 4, 5, 12, 21
 33:13, 19 36:9
 51:19
24 19:12, 14
24th 18:18
27 24:5
2714 6:16
27th 113:13
28 113:14

< 3 >

3 114:5
30 78:18
30-minute 78:17
32 50:14, 16
 51:3, 8, 11 53:9
 54:1

< 4 >

410 2:7, 15
43 6:1
443-310-8186
 92:14
443-326-8734
 92:7
443-562-8959
 92:18
443-813-8443
 38:17
462-4529 2:7

< 5 >

5:30 89:21
55 33:5

< 6 >

6 30:9, 9
65 6:4

< 7 >

7 28:14, 15
727-5000 2:15

< 8 >

8 12:1 26:17
 87:9
8:00 35:10
 86:13 90:21
8:30 87:10
 90:20, 21

< 9 >

9 27:1
9:30 1:13
901 2:5
911 45:14, 15
93 7:14 8:2
95 8:2

< A >

a.m 1:13 27:1
 112:19
abbreviation
 5:19
Aberdeen 12:1,
 2
ability 5:10
 40:7
able 13:12
 16:14, 21 20:19
 21:1, 4, 9, 13
 40:8 42:10, 12
 43:6 50:4 51:6
 63:5 64:4 69:4
 86:12, 20
Absolutely
 13:10, 10
Abzug 95:17
 96:15
accident 18:13,
 17, 20 19:4
 37:8 108:16
accurate 5:12
 107:19 115:5
ACTION 1:7
 113:12
activate 36:18
activates 35:21
 36:16
actual 79:15
 84:12

adamant 75:17

additions 115:7
address 6:3, 6,
 8, 18, 20
addresses 74:2
Adults 24:8
aesthetician 9:6,
 14
affect 5:10
afternoon 91:17
after-school
 21:21 22:2
age 5:21
ago 14:7, 7
agreed 3:4
ahead 4:14
 21:4 58:2 77:3
 99:16
Air 19:7 93:17
al 1:8
aliases 5:14
allow 85:9 88:2
allowed 69:20
 70:16 71:8
ambulance
 77:15, 16, 19
 78:4
amount 96:17
 110:11
angle 55:19
ankles 91:12
answer 5:2
 13:20 26:9
 27:9, 11, 12
 43:17 44:8
 56:21 85:10, 10,
 19 88:2, 3
 89:17 99:1
answered 72:6
answers 4:6
 5:12 28:18
 69:3 106:6, 9,
 12 107:2, 5
 114:12, 13
anxiety 95:8
apologize 15:9
appear 86:4
 103:11 104:16
appearance 86:7

APPEARANCES

2:1
appeared 86:15
 87:11 103:13
 104:15
appearing
 103:1, 3
apply 11:1
appointments
 20:17
approached
 41:10, 12 42:8,
 11 44:1, 9, 17,
 19 51:3 62:10,
 11
approaches
 43:13 44:4
approximately
 16:8 36:14
 67:19
approximation
 53:19 97:15
area 31:11
 32:13, 21 33:9,
 10, 13 35:11
 46:1 47:17
 49:16 67:1
 70:10 73:13, 13
areas 49:12
arm 19:1, 1, 2
 21:9 59:4 65:1,
 2, 3, 5, 5, 7, 10,
 10, 11 74:11
 109:15, 19, 21
 110:1, 2, 3, 8, 9,
 13 111:3, 4, 21
arrest 59:1
arrested 25:20
arresting 111:18
arrived 71:21
 72:12 75:2, 3
Ashley 30:3
aside 25:19
 95:3
asked 11:4
 45:20 47:14, 17
 72:6 73:10, 10,
 11, 15 74:4
 77:3 87:12

<p>asking 11:2 43:21 84:20 86:17 87:3 88:1 ass 46:3 48:2 assist 15:15 assistance 21:6 45:13 assistant 39:15 40:3, 5 assisted 64:20 65:12 Associates 20:4 97:2 assume 10:13 15:10 23:18 assumption 15:12 69:10 Assurance 10:19 attempt 52:21 attempted 99:16 attempting 63:1 attend 8:1 39:19 attended 7:14 8:2 attention 74:6, 7 attorney 87:13 99:6 101:21 105:18 atypical 40:16 audible 4:8 auto 55:6 66:3, 4 67:2 automatic 21:12 52:20 available 25:17 87:16 Avenue 19:7 20:9</p> <p>< B > back 14:5, 14 18:21, 21 19:10 20:16 33:13 41:7 45:5 46:11, 15, 18 48:21 49:2, 8 52:12, 18 58:21 61:9, 10 62:1, 2,</p>	<p>14 70:2, 15 71:9, 13 72:9, 11 74:13 78:3, 5 79:18 80:21 81:4, 8 83:8, 16 84:7, 8, 10 85:16, 16, 16 90:12 91:7, 9, 13, 14 109:10 background 7:7 11:11 backseat 69:21 backup 45:20, 20 47:15 bad 79:10 badge 42:15 71:5 baked 29:6 bald 70:21 Baldwin 6:16 Baltimore 1:14 2:6, 13, 14 7:9, 12, 16 8:3, 12 20:11 24:16, 17 94:20 113:1 barely 57:2 based 11:13, 13 16:2 62:12, 18 68:12 69:8, 9, 9, 11 basically 11:12, 13 13:7 55:1 56:5 108:11 basis 12:6 39:16 40:18 100:21 began 26:21 48:20 49:11 62:21 begging 48:3 65:3 85:8, 18 begins 73:2 behalf 2:8, 16 behavior 46:20 Bel 19:7 93:17 belief 107:20 believe 16:20 20:4, 8 22:13 28:4, 17 33:1 55:6 57:8 62:5,</p>	<p>18 64:14 68:11 71:18 73:2 77:10 81:20 93:2 94:7 95:16, 21 96:11, 12 102:19 103:15 105:13, 15 108:20 Bell 38:11, 12, 19 39:21 40:12 B-E-L-L 38:11 Bellona 20:8 Bell's 38:14 40:3 belong 39:12, 14 belongings 84:9 bending 70:8 best 70:19 107:2, 9, 19 beyond 8:10 bit 13:4 20:17 46:11 53:18 59:6 63:16 blessed 29:9 blouse 82:9, 14, 19 blue 68:21 Bluetooth 34:18 body 65:7 111:1, 9, 12 112:5, 6, 7 bone 110:16, 19, 20, 21 born 7:11, 12 Braswell 25:1, 6, 14 B-R-A-S-W-E-L- L 25:2 break 5:5, 6 48:8, 18 59:5 92:1 breath 13:19 Bridge 49:13 brings 28:2 broad 43:17, 19 44:2 broken 16:14 17:4 110:17, 17, 19</p>	<p>brought 91:10 108:7, 17, 19 Bruises 94:2 building 81:3 bullet 49:5 business 10:3 12:17 15:7 73:18, 19, 20 bust 45:16 button 52:19 60:9</p> <p>< C > cabbage 29:5, 10 call 31:2, 3 37:12 41:7 45:19, 20 47:15 84:14 86:18, 20 87:3 90:1 called 10:8, 10 76:10, 13 95:16 calling 85:12, 13, 14 calls 77:2 89:9, 12, 15, 20 canceled 103:16 104:1 cancellation 103:14 candy 29:20 canine 64:12 capable 13:17 car 18:13, 16, 20 21:11 35:11 37:5, 7 41:20 42:2 43:3 44:17 45:19, 19 46:2, 2, 3 48:1, 2, 8, 10, 12 49:2, 8 52:17 55:17 57:2, 5, 21 58:1, 11 60:2 67:10, 18 69:21 70:7 72:19 73:8, 15 84:8, 10, 10, 12 108:16 109:12 card 73:18, 19, 20</p>	<p>care 9:18 10:18 94:8, 15, 17, 21 carpenter 100:10 carry 40:8 cars 31:21 33:21 34:1 35:7 36:6, 7 52:1 64:12, 12, 13 case 4:1 95:4 101:18 108:13, 15, 17 cast 17:4, 8, 10, 12, 19 96:1, 5, 8, 10, 16, 17 caught 50:18 cease 40:5 99:14 Cecil 14:3, 7 16:13 24:16 27:1 50:10 75:21 77:6, 9, 11 78:21 79:1 cell 34:19 38:16 80:19, 20 81:4, 12, 14, 16, 18, 21 82:6, 20 83:2, 7, 8, 16, 20 84:3, 14 85:16 86:1 89:2, 3 91:14 92:6, 13, 17, 21 93:7 Center 80:20 84:12 86:2, 11 87:20 88:10, 14 89:8 90:2, 3, 12 91:14, 19 93:10, 16 101:17 certain 40:7, 8 96:17 certainly 5:3 CERTIFICATE 115:1 certificates 9:11 certification 9:14 10:14 15:10</p>
---	---	--	--	--

certifications 9:21 10:5, 6	clinician 11:12, 14, 15	completely 13:16 43:15	9 105:18	CUNNINGHAM
certified 9:16	close 8:5 16:6	44:2, 5 56:19	106:18 107:10	1:7 26:3, 7, 16
certify 113:3, 5, 8, 10 115:3	22:11 54:16	completing 8:5	Correctional	43:12, 13 47:5
changed 8:18	56:8 78:16	compliant 16:1, 5	88:19 90:15	58:14 59:1, 18
changes 23:2	closest 75:6, 16	concluded	corrections	60:9 61:2, 10, 18 62:11, 14
character 46:7, 21	76:4 77:1	112:18	115:7	63:18 66:10
charged 101:15	clothes 82:13, 15	concrete 81:5	counsel 3:5	68:10, 19 69:4
charges 102:20	clothing 82:9, 10	conditions 35:9	105:11 113:5, 8, 10, 11 114:10	70:3, 6 75:4
103:8 104:9	coat 59:12	48:16	counseling 95:4	79:3, 5, 20 81:8
Charles 1:14	Colaresi 2:12	confirm 106:17	97:7, 19 98:5, 6, 8	83:6 84:7 85:6
check 34:6, 6	Collins 1:14	connect 35:2	counselor 10:4, 8 13:14, 18	86:19 87:19
Chesapeake	2:4	connected 35:3	15:5, 11	88:1, 4 102:7
93:16 94:5	come 13:13	Connecting	County 7:16	109:14, 19
95:10, 18	31:20 37:20	34:21	8:3 14:3, 4, 7	110:8, 12
Chevy 37:4	41:20 42:1	Conowingo	16:13 19:5, 6	111:13, 17, 18
52:18	47:7 68:1 82:2	31:8, 9 36:12	24:16, 16, 17	current 5:21
childhood 9:15, 17	comes 57:1	49:13, 13	27:2 50:11	6:3 14:17
choice 12:16, 21	59:6	constant 14:15	75:21 76:3	currently 10:2, 3 19:8 101:11
chosen 13:1	comfortable	continued 104:6	77:6, 9, 11	custody 91:9
Christmas 29:6	93:6	continuously	78:21 79:1	cut 51:4 57:5
church 39:7, 12, 14, 17, 19 40:14	coming 32:20	75:15 85:8, 12, 13, 14 89:18	113:1	cutout 36:10
Circuit 102:17, 19 103:6	50:11 54:9	contractual	couple 79:14	37:13
City 24:17	68:2	24:19	81:21 82:7	< D >
CIVIL 1:7	commands	conversation	83:2	daily 15:15
108:5, 6	57:19 58:3, 5, 10, 11	40:12 85:5	COURT 1:1	39:16
claims 109:3, 5	commission	conversations	4:2, 4, 7, 12	Dam 31:9
classes 8:19	113:14	39:15 72:14	33:16, 17 69:15	49:13
clear 4:20 45:3	Commissioner	88:4 99:2	101:19 102:10, 17, 19 103:1, 2, 4, 6, 6, 12, 15, 19, 20 104:1, 3, 8, 20	Danielle 3:16
110:19	86:5, 8, 16, 18, 19, 21 87:2, 6, 11, 12 88:9	cookies 29:6, 7, 8, 21	courtesy 5:3	dark 35:9, 9, 10
cleared 41:8	89:5 90:6, 19	copy 112:16	courthouse	43:8 48:13
client 28:1	91:5	Corporal 26:10	90:12 91:7	49:15 57:10
30:1 38:21	Commissioner's	correct 7:4 9:1	covered 24:15	date 33:17
73:21 74:1, 1	85:21 86:1	21:17 26:3	credentials 41:6, 7, 21 44:17, 21	93:1 115:19
clientele 14:3	commonly 30:20	32:8 36:14	45:8, 18 48:4	daughter 6:9, 21 7:3 21:7
clients 12:7	commotion	38:3 40:10	criminal 108:5	85:12 93:4
14:2, 10 15:15, 21 24:4, 6 25:5, 9, 11, 12, 13	60:1, 17	41:1 47:11	Crockett 1:15, 21 113:3	daughter's 6:12
27:2, 6, 13	communicate	52:13, 15 53:7	16, 18	92:13
28:19 29:18	4:10	54:2 55:11	cruiser 55:15,	day 9:18 12:8
47:13	community	56:6 59:9	16, 18	13:7, 9 26:13, 15, 19, 20, 21
client's 16:7	47:8, 9	62:19 64:15	Cruze 37:4	27:2 28:20
clinical 11:11	company 23:2, 3	71:14 76:3	52:18	39:7 40:11, 13
	complaint 28:17	77:9 83:3		113:13
	complete 5:11	87:17, 20 88:11		days 12:10
	8:4	92:19 103:1, 4,		day-to-day 12:6

dead-end 50:7, 8	description 70:19	21 81:4	earpiece 34:20	enforcement 46:8 47:2, 4
deal 14:2, 12, 13	desired 8:8	doors 30:6	74:15, 18	78:8
dealing 47:13	detained 25:20	doubt 43:4	earplugs 34:14,	entered 113:8
100:15	Detention 80:19	doubts 42:18,	16, 18	entire 80:6, 8
dealings 47:12	84:12 86:2, 11	20 43:2	earrings 60:16	85:9, 17
dealt 46:21	87:20 88:10, 14	Downs 1:13	East 2:13 32:17	escalated 45:10
December	89:8 90:2, 3, 11	2:3, 4 13:19	easy 4:14	ESQUIRE 2:3,
18:18 19:12, 14	91:14, 19 93:10	27:11 33:2	educate 53:17	11
94:16 113:14	determining	43:16, 20 44:7	educated 15:9	estimating 53:21
decided 87:8	16:4	56:13, 21 72:5	education 9:4,	estimation
decision 101:1	device 34:19	91:21 97:16	15, 17, 20	56:10 97:13
Defendant	diagonal 54:19	99:1 105:19	educational 7:7	et 1:8
106:13 108:2,	dial 45:14	106:3 109:8, 9	8:10	evaluated 97:2
13	dialed 45:14	112:14, 17	effect 72:17	events 14:6
Defendants 1:9	digital 51:2	114:6	84:16 87:5	Eventually
2:16 4:1	direct 109:16	Dr 94:11, 12, 14,	eight 6:7	65:16 74:12
defender 87:10,	111:7	21 95:16, 17, 19	either 35:19	everybody 57:16
15, 16 91:2	direction 31:9	96:12 97:6	50:8 85:6 88:2	exacerbated
degree 7:19	directives 16:3	drag 46:3 48:1	103:16 108:6	19:2
8:4, 6, 8, 20 9:2	directly 25:11	drawn 58:6	elapsed 63:3	exactly 9:8
degrees 7:17	35:11, 17 55:19,	Drexel 7:14, 18,	71:20	17:16 25:8
deliberately	21 56:1	20 8:1, 11	elbow 16:14	31:18 33:17
50:14, 15	director 21:21	drive 21:1, 5, 14	17:4, 8, 12 18:9,	47:21 52:5
denied 89:14	22:14 24:20	28:8 30:5, 15	14 19:9 65:10	56:16 86:9
denomination	discuss 39:6	31:20 78:17	93:20 94:4	97:11, 12
39:13	discussing 39:3	driven 20:18, 21	111:2	EXAMINATION
depending 97:21	99:2	driver 75:6, 12	Elementary	3:13 96:6
DEPONENT	discussion 78:11	76:2, 7, 18	22:6, 21	109:9, 16
115:1	discussions	drivers 46:13	Elkton 75:5, 8,	110:16 111:7
deposed 113:4	105:1	driver's 70:8	17, 18, 20 77:6	113:5
Deposit 28:10	dislodged 60:13	driving 33:19	80:19	examined 115:4
Deposition 1:12	distance 35:19,	34:5 35:4, 7, 8,	eluding 101:16	example 15:18
3:6, 18 4:4 5:5	20 36:3 50:19	18 37:2 50:11,	emergency	Exhibit 106:6, 8,
106:5, 8 112:18	distinctive 85:15	13 101:16	65:16 74:5	12 107:12
depression 95:8	DISTRICT 1:1,	dropped 102:16,	79:16, 19 96:4,	114:11
deputies 90:16	2 4:2, 3 101:19	20 103:9 104:9	4, 7	experience 8:10
DEPUTY 1:7	102:9 103:1, 6	dry 35:9	emotional 95:5	100:15 110:7
26:3, 7, 16	doctor 96:15	duly 3:10 113:5	101:11	expires 113:14
42:10 43:13	doctors 97:1, 4	Dunbar 7:8, 9,	emotions 46:5	explain 13:15
47:4 78:21	doing 12:3	13	employed 10:2	14:8 15:18
79:1, 4 88:18	41:18 59:3	duties 13:17	employee	64:5
90:15	67:16 68:9, 10	15:19 21:19	113:10	explanation
describe 32:13	69:17 70:12	23:9, 11	employment	75:10, 13
34:3 42:10, 12	73:12, 13	< E >	10:13 16:15, 16,	expletives 47:20
43:6, 14 56:18	Door 21:17	ear 34:20	17, 18	explicit 13:4
57:9 59:11	23:4, 5, 17 24:1	74:20, 21	encountered	extend 5:3
109:18 110:11	57:3, 4 58:3, 13,	earlier 26:18	46:7	eye 68:18, 20
112:5, 9	13 59:7, 7, 8, 20,	27:1 28:20	ended 99:12	
described 62:12		early 9:15, 17	endurance 5:4	
72:16 81:13				

< F >	fingerprinted 83:7, 15	48:18 53:3	74:4, 10, 11	guess 15:8
face 58:18	finish 5:2 8:4, 15 69:2 110:6	full 3:14 5:11	75:8, 15 76:19	17:20 21:2
94:2 112:8, 10, 11	first 3:10 21:2	fully 13:15	77:1, 2 80:16,	28:13 31:1
Facials 9:10	26:16 31:10	43:14 44:2, 5	21 84:16, 17	36:8 38:21
fact 19:19 43:2	45:10 53:2	56:19	85:20 92:5	39:10 43:4
86:17	85:6 93:11	fumble 60:7	93:15 99:16	60:21 67:2, 11,
faded 40:6	100:5 104:2	functional 15:16	100:4	12 70:8 74:2
fair 25:17, 18	five 6:19 21:3	further 49:14	goal 8:19	76:5, 12 79:14,
40:18	41:13, 15, 17	50:10 112:14	goes 35:6 58:2	19 80:19 84:11
familiar 10:12	five-minute 41:19	113:5, 8, 10	going 4:5, 7	85:4 90:20
family 5:17	Fleeing 101:16	< G >	18:1 19:8, 15	97:21
14:19	flew 60:15, 16	garden 29:11	30:11, 12 32:16,	guilty 102:12
far 17:7 44:11	floor 70:9	gate 84:13	19, 20 33:15	gun 61:12, 16
53:11, 19 92:5	focused 55:8	85:4, 4	44:18 45:16	62:16, 17 64:9
Farms 49:17	following 14:15	gather 21:10	46:1, 2 47:18	111:6, 16
50:10 51:4, 7	20:1 89:6	gear 21:7, 8	48:1, 8, 18	gurney 77:17,
53:13, 14 54:11,	95:11	geared 11:3	49:12, 12 50:1,	20
16, 18 55:1, 9	follows 3:12	gearshift 21:13	3, 9, 10 51:8	< H >
66:2	followups 109:8	gee 81:19	52:4 53:9, 17	hair 57:10
fast 50:13	force 110:11, 18	generally 110:20	54:1 56:4	half 49:17
51:18 52:3	forever 63:8	gentleman 72:20 73:1	69:11 74:10	53:21
54:10	64:3 72:1	76:6	75:17 76:6	hand 4:10
fault 110:7	Forgot 10:6	gestures 4:10	86:11, 12 91:8	44:18 45:1, 2, 5
feel 13:16	85:21	44:18	99:5 106:11	46:14, 15, 18, 18
115:7	forth 14:6, 14	getting 8:20	112:15	58:2 59:15
feeling 65:6	foul 49:6	give 4:8, 15	Good 18:7, 7, 7	113:13
feet 56:12, 12,	found 102:12	19:13 20:20	25:15 47:6	handcuff 61:18
12 57:16 64:19,	four 21:2	29:3, 15, 18	91:21	62:15 80:13
20 65:13 89:2	103:17 104:6,	41:11 46:4	Goodwin 27:18	handcuffed
Felecia 38:11	15	48:5 53:5, 18	grabbing 59:13,	63:2, 9, 11
F-E-L-E-C-I-A	fourth 107:13	56:10 58:3	15	71:12, 13, 17
38:11	frankly 14:14	72:3 75:9 84:9	grabs 59:9, 11	78:1, 2 80:2, 2,
felt 93:19	frequently 19:15 24:7	97:13	graduate 7:13,	3, 4, 5, 6 81:10,
109:18 112:10	97:18	given 3:17	18	11, 13 83:12
female 82:12	Friday 93:13	69:14 88:21	gravel 94:3	88:11 91:12
88:17	Friendly 47:7	115:5	Green 6:16	handcuffing
field 10:17	friends 47:6, 9	giving 48:5	Griffith 6:4	61:10
figure 103:7	front 32:1, 7	57:19	G-R-I-F-F-I-T-H	handcuffs 59:2,
figured 104:14	33:21 35:8	glass 94:2	6:4	3 61:4 64:8
finally 64:10	36:6, 7 52:2	glasses 60:15	ground 58:18,	65:4 71:11, 16
find 73:21	54:4, 12 55:10	gloves 48:19, 20	19 60:14, 18, 19	80:10 81:15
99:16	71:17 80:13, 15	go 4:14 5:15	61:13 65:9	82:21 84:7
fine 68:8	86:4, 8	11:1 16:4 21:4,	111:20 112:1, 4,	111:19
F'ing 45:16	fruit 28:19	8 30:16 37:20,	5, 7, 12	handle 13:12
48:8	fucking 45:6, 7	21 45:21 47:17	group 98:6, 8,	58:3
fingerprint		48:6 49:10, 16,	11, 17 99:7, 9,	handling 13:17
83:10		18 50:6, 14	11, 14, 17, 21	hands 48:20
		51:6, 10 65:20	100:2	59:16

happened 14:6 63:7 66:14 75:1 76:5 86:3, 15 108:20 happens 64:18 88:13 happy 13:2 Harbor 98:4 hard 17:4, 10, 12 96:10 Harford 14:4 19:5, 6 24:16 75:7, 16 76:2, 3 hat 82:18, 18 Hayes 27:18 head 4:11 49:5 61:13, 16 62:17 64:9 111:6, 16 heading 31:8, 9 Health 10:18 13:13, 18 14:1 15:17 hear 36:20 85:17 heard 76:17 height 57:15 held 61:8 help 45:13 47:8 104:13 hey 29:20 High 7:8, 9 9:4, 20 46:5 High's 49:15 history 10:13 11:11 hit 52:18 60:8 112:5, 7 Hodges 30:3, 4 hold 9:11 22:8 holding 62:13 80:19, 20 81:12, 21 82:6 home 14:16 16:1 19:19 30:12, 14, 16 39:5, 6 48:6 49:10 74:10, 11 honest 22:17 66:13	Honestly 103:2 hood 59:12, 14 hospital 75:7, 16, 20 76:4 77:1, 7, 21 78:15 79:2, 13 80:17 94:19 hour 24:13 50:15 51:9, 12 53:9 54:1 101:8, 9 hours 15:13 79:14 81:19, 21 82:7 83:2 101:8 house 30:11, 14 51:10 91:8 Howard 12:1 hurting 65:1 husband 6:9, 21 20:14 33:16 85:11, 12 91:20 93:10 100:9 husband's 6:10 92:6 < I > ID 41:21 idea 19:13 20:20 41:11 50:17 57:14 61:7 63:4 64:21 72:3 immediately 58:12 60:14 important 4:8, 21 69:1 incapacitated 17:3 incident 16:12 20:1 25:20 26:2, 8, 12 28:2 93:1 95:11 96:8 97:8 98:17 100:19 101:12 109:11 incorrect 15:11 INDEX 114:1	individual 11:3 98:5, 7, 11 100:2 information 107:3, 20 in-home 9:18 initial 45:10 49:9 104:2 Initially 20:17 46:10, 12 71:12 74:9 101:15 injuries 18:19 94:1 105:7 109:4 inside 69:19 inspections 11:10 instance 108:8 intently 73:7 interaction 26:16 47:3, 4 104:19 interactions 104:21 interest 14:18 interested 113:11 Intermittently 19:17 interrogated 113:5 Interrogatories 28:18 106:6, 9, 13 114:12, 13 intersection 50:6 involved 18:16 37:7 IOP 98:9, 10 issue 19:3, 20 issues 13:13 14:1, 13 95:5 101:11 < J > Jacelyn 27:14 29:2, 3 J-A-C-E-L-Y-N 27:14	jacket 59:13 82:16, 16 105:20 106:2, 3 Jaffe 27:19 J-A-F-F-E 27:19 January 16:12, 18 17:1, 13 19:13 20:1 25:19 26:12 33:14 100:19 JASON 2:3 job 4:14 12:18 13:2 16:8 22:15 jobs 12:12, 16 Johnson 27:16 28:4, 6 30:2 Johnson's 30:11, 14 Joppatowne 22:17, 21 JOSEPH 1:7 43:12 July 11:7 June 16:21 17:2 < K > Kaiser 98:9, 14 Karp 2:12 KARPINSKI 2:11, 12 3:13, 21 92:2, 4 106:1, 10 109:6 110:14 114:5 Keene 97:6 K-E-E-N-E 97:6 keep 74:18 Keepers 23:7, 13, 14, 16, 19 kept 45:15 65:4 68:2 74:9 96:16 KEVIN 2:11 3:21 kids 22:3 kind 5:1 19:2, 18 25:10 37:2, 13 40:6 45:9 47:19 56:1, 3	58:15, 16 65:21 70:21 76:9 95:19 knee 58:21 61:9 62:2, 14 knees 63:12, 18, 20, 21, 21 64:2, 7, 17 knew 50:17, 19 104:14 know 5:6 18:3 26:3, 7, 10 32:17 33:6 39:7 41:5 43:1 46:17 48:3, 6, 6, 19 49:1, 3 50:2 55:8 56:9, 14, 15, 16, 16, 17 57:7, 15, 16 58:8, 16 59:17 60:11 61:1, 8, 20 62:1, 4, 9, 10 63:6, 20 65:1, 12 66:7, 12, 12, 14, 17, 18 68:8 69:14 70:5 71:1 72:1, 6, 10 76:5, 21 81:1 82:17 84:15, 17 85:11, 14 88:20 90:14 97:17, 17 102:16, 20 110:15 111:15, 21 knowledge 107:3, 9, 20 < L > landed 112:7 landing 112:10 Lane 6:4 32:19, 20, 20 lanes 32:15 larger 89:1 Latasha 27:14 28:3, 6, 12, 13 late 39:5 85:2 law 46:8 47:2, 3 78:8
---	--	--	--	--

lawsuit 108:3, 5, 6	list 73:21 74:1	59:21 60:1, 17	medication 95:8	65:21 66:15, 19,
lawsuits 109:3	listing 74:1	96:20 110:18	medications 5:9	21 67:10 99:15
lawyer 87:7	lit 45:21 47:17	lower 18:21	members 39:20	100:16, 17
103:12	little 13:4	Lutherville	Memorial 75:5,	moving 64:9
leads 31:19	20:17 36:10	20:11 22:5, 20	7, 16 76:3	
learned 43:9	37:13 46:11		78:15, 19 79:2,	< N >
leave 16:15, 18	49:14 53:18	< M >	7, 13 80:17	name 3:14, 21
22:12 23:16	59:6 63:16	ma'am 105:14	81:7 88:8	5:20 6:10, 12
30:10 49:5	67:2	107:14 109:6	mental 13:13,	10:9 22:18
51:12 65:19	live 6:14, 18	magnitude	17 14:1 15:17	23:3 24:21
left 16:17 19:1	30:4	108:10, 11	95:5	25:1 27:15, 16,
23:18, 21 38:21	lived 6:6, 20	major 8:18	mentioned	17 28:4 31:18
45:1, 2 46:14,	28:7, 8 30:6	making 23:1	109:14 111:5,	38:10 39:17
18 49:10, 12	Lively 39:18	male 42:14	20	42:15 43:9, 11
50:9 51:6, 10	lives 6:8	43:5 57:10, 17	Michael 6:11	70:1 71:2, 6
53:12 60:20, 21	living 15:16	70:21	middle 51:5	73:1 95:14
61:14 64:8	100:9	Manchester 6:5,	60:15 64:2	100:5 102:8
80:16 82:13	located 11:21	15 94:13	mile 49:17	named 113:4
86:1 89:1	14:3 20:10	maneuver 21:6,	53:21	names 27:5, 8,
111:11	94:12 100:6	13	miles 36:4, 14	10
left-hand 35:16	long 6:6, 18	manual 21:10	50:15 51:9, 11	nature 105:2
53:14, 16	22:19 36:5	March 1:13	53:9 54:1	necessarily
legs 58:20, 20,	38:18 39:9	113:13	mind's 68:18, 20	12:19
21 61:8, 21	56:11 64:5, 18	marked 42:6, 7	minimum 24:8,	necessary 115:8
62:13	72:2, 7, 8 77:5	43:2 55:15, 17	9, 13 41:13	necessitated
letting 49:3	78:14, 16 79:12	64:12 106:7, 9,	Ministries 39:18	93:19
level 102:17, 19	81:18 83:20	11	minute 96:3	need 5:5 45:12
license 10:20	84:2, 2 91:16	married 7:1	minutes 39:1	65:5, 5 74:6
11:2, 5, 9, 13	94:14, 21 96:20	MARYLAND	41:13, 15, 17	103:11 110:6
45:4 46:12, 13	98:1 99:1	1:2, 15 2:6, 14	64:6 78:19	needed 97:21
licensed 9:6	101:5, 7	4:3 6:16 7:16	84:13, 20	needs 15:17
11:14, 15	longer 41:14	8:3, 11, 14 9:7,	mirrors 34:7	negative 45:21
licenses 9:12	look 74:9	13 10:7, 15, 21	missing 29:8	47:16
licensing 10:16	looked 70:20	12:1, 2 14:4, 4	mom 27:16	neighbor 20:16
11:1	93:20	20:4, 8 75:20	moment 52:5	nerve 19:3, 19
life 49:7	looking 67:17	77:6 93:17	Monday 1:13	Never 26:1
lifetime 109:1	70:6, 9 73:7, 9,	97:3, 6 100:12,	month 24:9, 10	76:16
lights 36:1, 16	15, 16, 17, 18	18 113:1, 3	97:13	new 22:13
54:8, 9 60:1	74:3	mean 8:17	months 6:7, 7	25:5, 9 76:16
64:13 68:21	looks 57:9	14:11 37:15, 15	17:5, 21 19:17	Nicholle 100:5,
Lillian 27:18	107:13	43:1, 3 73:6	21:3 97:14	6 101:3
limbs 94:4	loosen 65:4	100:14 103:21	98:2 99:12	N-I-C-H-O-L-L-
limit 32:21	loosened 71:11	104:21	morning 86:13	E 100:5
33:1, 3, 6 51:21	lot 14:1 21:7	meaning 59:19	87:10, 17 89:6,	nickname 5:17,
limitation 13:8	25:10 29:5, 8, 9	mechanic 66:4	21 90:7	18, 19
limitations 13:1	32:2, 2, 3, 7	med 8:9	move 21:8, 9	nicknames 5:14
Linda 1:15, 21	33:20 34:8	medical 74:5, 7	50:2 100:11	night 96:7
113:3	37:18 46:5	77:12 93:12, 14,	101:1	nine 6:7
	47:19 48:2	16, 19 96:19	moved 22:14,	nodding 4:10
	53:13 54:19		16, 20 23:1	

<p>normally 40:9 notarial 113:13 Notary 1:15 113:3, 16 notes 17:7 NUMBER 1:7 38:14, 16 92:6, 8, 13, 17 93:7 114:11 numbers 93:1 Nye 27:19 N-Y-E 27:19</p> <p>< O > Objection 13:19 33:2 43:16 44:7 56:13, 21 72:5 97:16 110:14 observe 35:5, 8, 11 67:13 observed 67:14 obtain 7:17, 19 9:2, 3 10:20 105:17 obtained 11:4, 9 obviously 81:6 occasion 108:21, 21 occur 19:4 occurred 43:21 44:6 56:20 63:9 82:6 83:5 84:6 98:18 occurring 44:3 occurs 34:3 43:15 47:16 48:17 o'clock 30:9 Office 10:18 80:21 85:21 86:2 officer 14:15 30:17 31:7, 11 32:2, 6 34:4, 7 35:5, 17, 21 36:13 37:10 38:2, 19 40:20, 21 42:3, 8, 17, 19 44:17 46:7</p>	<p>47:6, 10 51:4, 12, 17 52:11 54:7, 8, 12, 18 55:10, 13, 15 57:2, 4, 5, 7 58:19 59:6 63:17 69:20 70:16, 20 71:8, 10 72:18 74:4, 19 75:4 88:17, 19 109:14, 19 110:8, 12 111:5, 9, 12, 15, 17 112:1 officers 16:13 33:20 46:21 47:12 61:5 62:5, 19 63:14, 15 64:11, 13, 15, 21 66:9 67:1, 3, 4, 6, 17 68:1, 4, 9, 16, 21 69:5 70:12 72:15 78:8 79:4 89:16 90:13, 15 91:10 102:4, 6 104:16, 20 105:3 Oh 11:6 41:3 51:2 73:12 77:2 81:19 87:3 93:8 Okay 8:19 12:20 18:7 20:12 25:13 35:4 41:14 46:3 48:9 56:18 65:12 70:11 72:8 74:13 78:18 81:2, 20 83:9 85:11 88:1 99:4 101:10 106:15 Old 28:8 30:5 31:16, 17, 19 older 76:6 Once 51:14 60:13, 18 63:9 74:19 75:1</p>	<p>79:7 81:12, 14 82:20 88:13 96:5 97:20 101:4 ones 27:21 32:11 68:15 Open 21:16 23:4, 5, 17 24:1 49:11, 15 57:3, 4 85:4 opened 58:13 openings 35:15 opens 59:7, 8 opinion 43:20, 21 Opportunity 23:17 opposed 111:16 oranges 29:6, 10 original 115:9 originally 101:18 Ortho 20:4, 8 97:3, 6 Orthopedic 20:3 97:2 outcome 102:9 113:11 overbroad 13:20 overhead 36:1 overly 43:16, 19 44:2 owner 11:17, 18 12:5, 17 13:3 ownership 14:18</p> <p>< P > P.A 2:4, 12 p.m 26:17 28:14 p.m. 28:15 page 106:17 107:13 114:2, 11 pain 18:21, 21 19:3, 10, 19 65:6 109:18, 20 110:3, 7 pained 65:8</p>	<p>paining 74:12 paired 25:9 Palisoc 94:11, 12, 14 P-A-L-I-S-O-C 94:11 Palmeiro 102:1 pants 82:9, 14, 19 paper 115:9 paramedic 71:18 76:12, 14 paramedics 71:21 72:12 75:2, 3 77:13 78:7, 9, 11 Parents 10:10 11:20 14:18 park 21:14 parked 57:2 parking 32:1, 3, 6 33:20 34:8 53:13 54:18 67:1 part 18:10 61:9 77:10 85:21 112:5 particular 12:15 39:12 108:7 particularly 37:18 parties 3:5 113:10, 11 parts 65:6 passed 32:1 pastor 34:15 35:5 38:7 39:9, 21 40:3, 12 41:3 74:14 85:13 pastor's 38:10 path 30:13 37:14, 16 patient 16:7 Patrol 10:10 11:20 14:18 pay 90:5 penalties</p>	<p>106:21 107:17 pending 4:2 Pennsylvania 6:5 94:13 99:15, 17 100:1, 3, 7, 12, 18 people 78:5 period 17:14 19:15 20:20 22:8 23:12 41:19 82:3 103:8 perjury 106:21 107:17 permitted 89:11, 19 person 48:13 personally 15:21 105:8 Philadelphia 7:15 phone 34:11, 12, 13, 14, 19, 21 35:2, 3 38:5 41:8 45:14 84:14, 14 85:10, 10, 17, 18, 19 86:18, 20 87:3 88:2, 3 90:4, 5 92:6, 13, 17, 21 93:7 photograph 105:20 photographed 83:15 photographs 105:6, 8, 13, 15 physical 17:5, 17, 19 18:1, 8, 9, 11, 14 19:9, 15, 21 20:2, 6, 12 94:1 physician 94:15, 17 95:1 pick 91:18 picked 29:13 93:11 picture 83:7 piece 74:20</p>
--	---	---	--	---

place 67:2 91:21 109:12 113:4 Placida 24:21 P-L-A-C-I-D-A 25:1 Plaintiff 1:5 2:8 108:2, 12 Play 23:6, 13, 14, 16, 18 49:6 pleading 48:3 please 3:14 7:6 46:4 48:4 112:17 point 16:14 31:6 34:11, 12, 13 35:18 37:3 39:10 42:3, 16 43:7 44:6 45:9, 12 58:7 61:7 64:8 65:7 66:14, 15 67:5 69:19 70:16 71:16 73:8, 10 78:1 82:17, 18 85:20 96:13 police 31:11 40:21 42:19 poor 26:5 Port 28:10 portion 79:19 position 22:9, 12 23:21 positioned 55:20 possible 4:14 93:3 post 9:4, 20 postponed 103:16 postponement 103:14 pre 8:9 precipitated 100:11 precise 63:16 prefer 14:16 preliminary 3:21 prescribed 95:7 presence 113:9	present 61:5 62:6 79:20 pressed 61:13 pressing 94:3 pretty 31:16 36:5 43:8 54:10 85:2 110:17 112:13 prevent 13:8 primary 94:8, 15, 17, 21 prior 6:14 14:17 19:12 21:16 23:6 26:2, 7 28:2 47:4 110:4, 8 Pristash 26:10 57:8 59:6 60:3, 19 61:11, 16 62:4, 10, 15, 21 63:17 66:10 68:10 69:5 70:4, 7 102:7 106:13 111:5, 10, 16 112:2, 11 probably 4:17 26:21 29:13 30:8 50:21 51:21 108:16, 19 proceeded 36:8, 11 proceedings 104:20 113:7 process 9:16 11:8, 10 15:11 25:10 49:4, 16, 20 50:1 83:12 85:9 processed 87:4 89:17 produce 29:5 proffer 105:19 program 10:8, 9, 11 11:16 14:20 15:1, 4 22:1, 2 24:21 progress 17:7 prompted 98:16,	20 proof 73:16 provide 5:11 15:3 70:19 75:12 provider 9:19 92:11 94:8 PRP 10:5, 8 14:20 psychiatric 10:4, 7, 11 15:1, 3, 5 psychiatrist 16:3, 7 Psychologically 13:12 psychology 8:13, 16, 20 PTSD 14:12 Public 1:16 87:10, 15, 16 91:1 113:3, 16 pull 34:4, 7 35:5 37:11 38:2 64:19 pulled 41:4, 21 46:9 52:11 54:12 58:17 74:21 76:7 109:11 112:2 pulling 38:19 pulls 35:12, 13, 21 37:10 38:2 40:20 41:2 55:10 purposes 75:18 pursued 8:13, 16 push 46:18 pushed 45:5 46:12, 14 put 22:13 44:19 48:20 49:5 57:2 59:2, 3 61:4 63:11, 20 64:19 74:20 81:5, 14 83:8, 16 84:7 89:2 91:14 95:21 96:5, 8, 10 puts 58:2	Putting 25:19 27:10 61:3 63:18 95:3 111:19 < Q > Quality 10:18 quantify 63:5 quarter 26:17 30:9 question 4:16, 17, 19 5:2 6:2 13:7, 20 18:6 26:5 43:17, 18 49:21 65:11 68:18 69:2, 3 107:16 110:6 questioning 13:5 questions 4:6, 6, 9 5:11 15:8 109:7 quick 63:7 quite 14:13 17:15 27:17 41:9 64:1, 4, 7 84:1 < R > raised 7:12 Raj 95:16, 19 96:12 R-A-J 95:17 rank 71:2, 3, 5 ranting 48:3 reaching 48:21 reaction 46:10 read 107:5 112:15 115:3 reading 3:6 ready 45:5 realization 99:4 realize 86:10 really 17:20 19:18 24:19 33:5 43:7 60:21 86:9 90:17 rear 80:14 reason 12:15 25:21	recall 17:20 26:13, 15 27:8 28:1, 6 30:1 31:4 33:5 36:19 39:2 44:3 46:19 52:3 66:8 69:16 70:1, 6, 7, 10, 11 71:7 72:13, 14 78:10, 12, 13, 16 83:13 84:21 86:7, 9, 14 88:3, 16, 20 90:17 95:19 96:18 97:1, 11, 12, 18 98:13 101:17 102:11, 11, 12, 15, 21 103:3 104:19 109:2 110:21 recasted 96:5, 12 receive 79:3 received 79:8 95:12 105:20 receiving 18:12 Recess 92:3 recollection 68:3, 19 69:9, 12 70:3 79:8 83:14 101:14 107:9 record 3:15 75:19 113:7 115:5 recorded 113:7 red 68:20 refer 71:3 reference 28:19 referred 25:11 30:20 71:4 99:6 regard 99:19 regarding 105:6 region 24:15 registration 41:21 45:4 46:13 regular 40:17 regulations 16:2
--	---	--	--	--

rehabilitation 10:4, 7, 11 15:1, 3, 5	responsibilities 15:20 21:20 23:10	7 56:6 66:1, 16, 20, 21	53:5 60:7 62:15 65:4 67:3, 4 74:9 84:21 109:15	100:3 101:10
re-handcuffed 80:11, 12	restroom 92:1	Robert 94:19	says 41:4 45:18, 21 46:1 47:16 56:13 72:5 73:9 77:4	seek 97:7
related 40:14 113:11	result 97:7 100:18 101:11	Roby 94:19, 21	scarred 112:13	seen 24:8, 9 30:7 89:5 90:6, 18 96:4
relationship 11:11 16:6	Retained 114:10	R-O-B-Y 94:19	scene 64:15 77:13, 14 109:10	send 105:20
released 91:4, 9, 17 93:9, 13	return 16:21	roll 44:11 45:6, 7, 16 52:19, 21 53:3	School 7:8, 9 9:4, 20 22:3, 6, 14, 16, 18, 21 47:7, 10	sense 4:18
remain 72:11 80:6 81:13, 18 83:20	Riddle 104:12, 13	rolled 44:9 53:4	Schoolhouse 28:8 30:5, 15 31:16, 17, 19	sent 95:13, 17
remained 72:9 80:3, 4, 5	Riddler 104:12	room 65:17 74:5 79:15, 16, 18, 19 96:4, 5, 7	sea 64:13	separate 115:8
remember 22:18 27:5, 15, 17, 21 33:4 60:7 61:2 65:1 71:1, 2 73:3 84:20 85:1 95:14 101:21 102:8 109:15 111:6	R-I-D-D-L-E-R 104:12	Route 31:2, 4, 4, 12 33:13, 16 36:12, 13 52:8 53:6, 11 54:19, 21 55:11, 19 56:1 64:2 65:18, 19 77:8	search 67:16 68:9, 10 70:4	separated 16:16
rendered 77:13, 14	ride 77:5 78:3	routine 40:11	searched 67:11 69:18, 18 82:12, 12 88:15, 16	serve 47:8
rephrase 43:18	right 18:8 19:1, 2, 20 21:9 31:13, 20 32:9 33:15 34:10 42:21 44:21 46:17 49:17 50:5, 7, 9, 9 51:5, 10, 13, 14, 15, 16 52:5 53:6, 20 54:17 57:18 59:4 60:20 61:3 65:3 89:14 98:12 101:16 109:15, 19 110:2, 3, 8, 9, 12 111:4, 14 112:6, 7, 9, 10	Royal 49:17 50:10 51:4, 7 53:13, 14 54:11, 16, 18 55:1, 9 66:2	searches 70:12	Services 14:19 15:2 100:8
replaced 22:13	right-hand 32:3, 5 35:14, 15 55:4, 7 74:17	rubbing 58:19	searching 67:14 68:4 69:6, 17, 21 72:19	session 101:8
Reported 1:20 25:3	right-handed 17:6	rules 76:21	seatbelt 58:14, 16 60:5, 8, 8, 12, 13	set 113:4
reporter 4:5, 7, 12 112:16	ring 60:16	run 10:5 11:14, 16 67:8, 8 72:16	seated 72:11	setup 32:14
reporting 17:7	ringing 85:18	running 10:8	second 74:13 83:21 84:4 85:7	seven 39:10
represent 4:1	rings 85:15	< S >	second-to-the-las t 106:16	shackled 91:12
representation 87:9	River 30:21	safe 48:14 98:4	see 4:4 12:7 15:21 24:7, 11 25:16 32:6 33:19 34:7 42:16 59:5 63:16, 17 64:21 68:20 98:3 101:3 106:14	shared 105:11
represented 91:1	Road 6:16 14:5, 14 30:16, 16, 21 31:18, 19 32:14, 14, 16, 18 34:6 35:16 36:5 37:17 48:14 49:9, 14, 18 51:5, 9 55:5,	safest 52:10	seeing 68:19 69:14 97:1	sharp 109:20
representing 104:11		safety 51:1		sheet 115:8
request 25:16		sat 41:9, 12 77:19 84:12		sheriff 78:21 79:1 88:18
resource 47:10		satisfied 74:3		Sheriffs 90:15
respective 3:5		Saturday 93:14 95:11 96:9		Sheriff's 80:21
respond 73:5		save 49:6		SHERRILL 1:4, 12 3:9, 16, 17 25:15 106:5, 8 113:4 114:3 115:15
response 4:15 45:10 53:2, 4 67:9 74:8		saw 27:2, 14, 16 28:1, 11, 13 29:16 30:1, 8 31:10 32:2 56:9, 15 95:10		shifts 21:7
responses 4:9		saying 36:20 45:15 50:18		shocking 45:11
				shoes 82:17, 20 84:9 89:1
				shoot 41:3
				shooting 109:20
				shop 55:6
				short 9:18
				shoulder 37:11, 12
				show 106:11
				side 32:4, 5 35:14, 15, 17 53:15, 16 55:4, 7 58:15 59:19, 19 60:19, 20, 20 61:3 65:21 70:8 74:16, 17 111:9, 11, 12, 14 112:6, 8, 9, 10

sign 32:10 49:9, 19 50:3 52:6 53:19 112:15 signature 106:18 107:14 signed 107:6, 8, 21 signing 3:6 106:20 Sinai 94:19 sir 45:9, 17 48:4 53:4 siren 36:18, 19 sit 69:20 70:16 71:8 86:12 sitting 18:3 41:5 69:3 72:9 85:3 93:21 situated 77:18 situation 46:5, 6 50:4 63:7 100:16 six 24:8 57:16 skills 15:16 skin 94:3 sling 79:10 smashed 58:18 soft 17:19 96:17 softball 93:20 someplace 65:15 sorry 11:7 55:14 68:7 110:6 sort 4:11 10:12, 14 15:2, 10 40:11 93:18 sought 93:11, 14 95:4 97:18 sounds 33:20 South 1:14 2:5 space 37:19 speak 4:21 38:12 82:2 speaker 36:21 speaking 38:7, 19 74:14 specialist 95:13, 15	specific 11:2 70:3 specifically 69:13, 16 70:5 speed 32:21 33:1, 3, 6 51:21 speeding 50:18 51:2 speedometer 51:3 spend 24:12 sprain 79:10 spring 98:15 stack 73:18 stand 14:21 98:10 start 3:20 26:5, 18 started 71:6 99:13, 21 state 3:14 9:7, 13 10:7, 14, 15, 21 16:2 113:1, 3 STATES 1:1 4:2 stay 14:16 49:2, 4 steering 70:9 stenographically 113:7 step 48:21 49:2, 7 stepped 77:19 stipulated 3:4 STIPULATIONS 3:3 113:8 Stones 39:18 stood 64:10 stop 16:11 32:10 34:10 49:9, 19 50:3 51:8 52:6, 6 53:19 57:1 99:11 stopped 14:16 30:17 31:7 56:9, 15, 18	58:11 68:15 77:8 78:15 stops 51:17 straight 54:19, 20, 21 55:21 56:4, 5 strapped 77:20 Strayer 8:14 Street 1:14 2:5, 13 12:1 31:14, 15, 15, 21 36:10 60:15 streets 35:12 strip 88:15, 16 stripped 82:8, 10 stuck 94:3 stuff 3:21 29:16 53:5 74:2 subsequent 103:8 subsequently 43:9 success 99:19 sued 108:8, 18 suit 14:5 59:13 82:16 108:7, 18, 19 Suite 2:5, 13 summer 98:15 supervisor 24:18, 20 supposed 77:1 sure 4:15 13:6 16:1 17:16 31:1, 16, 18 33:15 34:17 40:6 60:10 61:11 63:19 67:5 73:12 74:10 84:1 104:17 105:17 surgery 17:5 Susquehanna 30:21 sustain 18:19 sweat 59:13 82:16	swollen 93:21 94:4 sworn 3:10 113:5 symptoms 93:18 < T > tag 42:16 take 4:3 5:6 14:5 19:10 20:14, 15, 16, 19 26:2 33:16 37:10 38:3 40:21 48:4, 9 49:6 53:20 65:19 71:13 72:16 75:5 82:15 83:6 90:4 91:11, 21 93:10 107:5 109:10 taken 1:12 4:7 65:15, 16 77:15 80:9 83:7 90:11 TALATHA 1:4, 12 3:9, 16 113:4 114:3 115:15 talk 17:4 26:8 39:6 talked 9:21 39:4 97:5 108:3 talking 34:17, 18 35:4 40:13 56:11 57:12 67:20 75:11 76:2 84:15, 18 110:20 Tall 57:10, 11, 11, 14 70:21 Taller 57:13 tasks 40:8 tavern 35:14 49:14 Taylor 27:18 Teacora 6:13 T-E-A-C-O-R-A 6:13	Team 15:19 16:11, 16 21:16 22:15 24:3 teed 56:2, 3 telephone 38:14 89:9, 11, 15, 20 tell 3:10 4:18 33:17 40:10 44:2, 5 69:16 70:2 75:1, 9 telling 9:1 tells 48:17 temple 61:14 ten 56:12 64:6 terms 69:17 70:4 72:3 terrible 6:1 terribly 74:12 terrified 67:9, 10 Tessie 27:18 test 5:4 testified 3:11 52:12 102:2, 6 103:19, 20 104:3 testify 102:4 testifying 103:3 testimony 33:12, 14 58:9 61:15 70:15 83:9 88:6 100:17 111:7 115:5 Thank 112:14 therapeutic 16:2 therapist 16:3, 7 99:17 therapists 15:14, 15 therapy 17:5, 18, 19 18:2, 8, 9, 11, 14 19:9, 16, 21 20:2, 7, 13 98:11, 13, 17, 21 99:7, 9, 11, 14, 17, 21 100:2, 2 thick 70:21 thing 15:6 29:7 34:17 82:5
--	---	---	--	--

things 4:11	38:8 41:11	100:15	56:12 59:15	95:18
14:9 29:9, 13,	43:7 49:4	travel 37:14, 16	62:10, 19 69:5	use 44:18
18 39:7, 8 40:7,	50:20 51:1	traveling 14:14	78:5 88:6 89:1	usually 39:5
13, 14 99:5	52:1 57:20	treated 79:21	90:12 95:18	
think 10:1	61:6, 7 62:6, 9,	treatment 19:20	97:14 101:8	< V >
22:17 24:5	21 63:2, 2 65:8	77:12 79:8	two-lane 32:14,	vehicle 35:13
28:11 33:16	71:4, 18, 20	93:12, 14, 19	16, 17	37:2 41:1, 10,
38:18 44:1	72:2, 4, 7, 19	95:12, 20 96:19	two-minute 92:1	12 42:4, 6, 7, 8,
49:11 50:2	80:7, 8, 18	101:6	type 15:6	11 43:14 44:1,
52:9 58:15	81:10 82:3, 11	Tremetire	types 29:7 39:8	4, 5, 9, 19 46:15
61:15 64:6	83:21 84:2, 4,	100:4, 6, 7	typical 29:15	50:21 54:4, 6
68:13 71:20	11, 20 85:17	101:3		55:18 56:8
72:8 73:10	86:11 88:21	T-R-E-M-E-T-I-	< U >	58:4, 17 62:11,
78:18 79:12	90:18 93:7, 11	R-E 100:4	Uh-huh 27:4	11 63:1 66:16,
86:3 96:16	96:17, 20 103:7,	trial 102:2, 10	34:2 38:1	19, 21 67:11, 15
97:20 98:12	8, 13, 18 104:2,	tried 45:13	44:14 52:14	68:4, 16, 17
99:12	11, 17 106:4	101:18	54:13 55:12	69:6, 17, 19
thinking 18:3, 4,	107:3, 21	triggering 14:2,	61:17 68:5	70:10, 13, 17
5, 6 27:13	111:13 113:4	10	74:16 83:17	71:9 72:9, 12
45:12 49:21	times 21:7	true 113:7	87:14 105:16	76:8, 9 81:9
62:3 67:7 93:4	24:9, 10 39:4	115:5	understand	112:3
third 63:17	103:15, 19	trunk 69:18	4:17, 19 5:7, 10	vehicles 32:7, 9
thought 11:6	104:6, 15	70:7, 7 73:8, 14	25:8 46:8	34:8
41:8 49:2, 3, 10,	today 4:4 5:9	truth 3:10, 11,	101:7	verbal 4:15
16, 20 86:12	28:2 69:3	11	understanding	58:10, 11
three 14:7	108:4	try 4:20 49:6	60:4, 6 78:13	video 90:10
23:15 24:10	told 72:20	63:15	understood	visited 29:19
36:4, 14 62:5, 8	73:13, 21 75:4	trying 19:19	106:20 107:16	vocation 9:9
85:15	86:19 87:1, 9,	25:8 48:6 50:2	uniform 42:15	voluntarily
three-quarters	15 89:16	59:1, 2 60:7, 11	43:3, 5 57:13,	23:18, 21
44:12, 13, 16	103:12 104:8	61:4, 18 62:14	17, 18 88:21	volunteer 29:14
52:13	toughest 6:2	turn 31:13, 20	uniformed	vs 1:6
threw 112:1, 4,	traffic 37:19	51:6, 14, 15, 16	42:17	
11	56:1	53:12 106:16	Union 75:5, 8,	< W >
thrown 58:18	training 15:13	107:12, 12	17, 18, 20 77:6	waist 91:13
60:14 65:9	transcript	turned 64:10	78:15, 19 79:2,	wait 86:13
111:20	113:7 115:4, 9	twenty 56:12	7, 12 80:16	87:8 91:16
Thursday 26:14	transmission	twice 97:20	81:7 88:8	96:3
ticket 46:4	21:10	109:1	UNITED 1:1	waited 91:15
48:5, 5	transport 78:11	twisted 109:15,	4:2	Waiting 41:20
time 5:5 7:1	85:6, 7	19	units 64:12	42:1 82:6 85:4
8:9, 11 13:14,	transported	twisting 59:4, 4,	University 7:15,	91:20
18 17:14, 16	81:6 88:7, 8, 9	4 110:9, 12	16 8:3, 11, 13,	waived 3:7
19:13, 14, 18	90:12	111:21	14	Walk 7:6
20:18, 21 22:8	transports 88:7,	two 16:8 22:10	unmarked 42:6	30:10 35:6
23:12 24:5, 11,	11	23:15 31:21	55:16 64:12	66:5 84:10
21 26:15, 19	trauma 19:1	32:7, 9, 11, 15	untwist 65:5, 5	walked 66:7, 8,
28:11 31:10	100:8, 13, 14, 15	33:21 34:1, 8	upper 61:9	11, 13, 15 82:20
33:8, 11 35:19,	traumatic	35:7 46:9	93:16 94:5	want 4:13 33:4,
20, 21 36:2		50:20 52:1		15 34:16 36:4

<p>43:18 46:4 50:18 51:1 61:11, 12 71:5 73:11 74:10, 11 75:8 84:13, 19 90:16 106:17 109:10 wanted 74:4, 5 75:14 87:7, 12 watching 73:4, 4 Water 76:8, 10, 13 way 37:19 39:4 44:13 46:10 49:18 52:10, 13 53:1 58:15, 17 76:20, 20 83:4 89:1 102:15 113:11 weapon 58:6 wearing 106:4 wedding 60:16 week 12:10 13:7, 9 26:13 97:20 101:4 weekend 105:21 weeks 17:15, 15 Well 3:20 12:19 14:5 18:15 20:16 30:5 41:6 68:11 70:2 73:20 75:6 77:4 92:15 93:3 111:18 112:6 went 7:14, 15 20:18 27:1 29:8, 14 40:13 49:18 50:4, 9 73:7 80:18 81:3 84:11 86:1, 2 95:18 96:17 98:4 109:21 We're 4:3 15:14 26:8 34:5, 17 112:15 West 19:7</p>	<p>32:17 we've 108:3 wheel 70:10 Whereabouts 19:6 white 42:14 43:5 57:10 70:21 Williams 27:18 Win 15:19 16:11, 15 21:16 22:15 24:3 window 44:10, 11, 20 45:6, 6, 7, 8, 16, 17, 17 48:8, 18 52:13, 20, 21 53:3, 4 wintertime 29:12 wireless 35:1 Witch 76:8, 10, 13 witness 3:7 72:5 113:13 114:2 WITNESSES 114:1 wooded 35:11 37:13 49:11 woods 35:16 49:5 word-of-mouth 25:14 words 53:2 work 12:8, 10 14:17 15:14 16:14 17:1 25:15 26:19, 21 29:14 39:5 52:17 worked 15:19 21:16 23:6 24:3 working 13:6, 9 16:11 23:12 73:14 worry 14:15 wound 76:5 77:5</p>	<p>wrists 111:19 write 115:8 writing 17:7 < X > x-ray 79:9 80:9, 11 < Y > yanked 57:3, 4 58:13, 17 60:12, 14 yanking 57:21 yeah 75:15 year 7:13, 18 8:7 years 6:19 8:1 14:6, 7 16:9 22:10 23:14, 15 39:11 95:2 York 100:7 Young 27:14, 14 29:2, 3, 3 Youth 24:9</p>
---	---	---